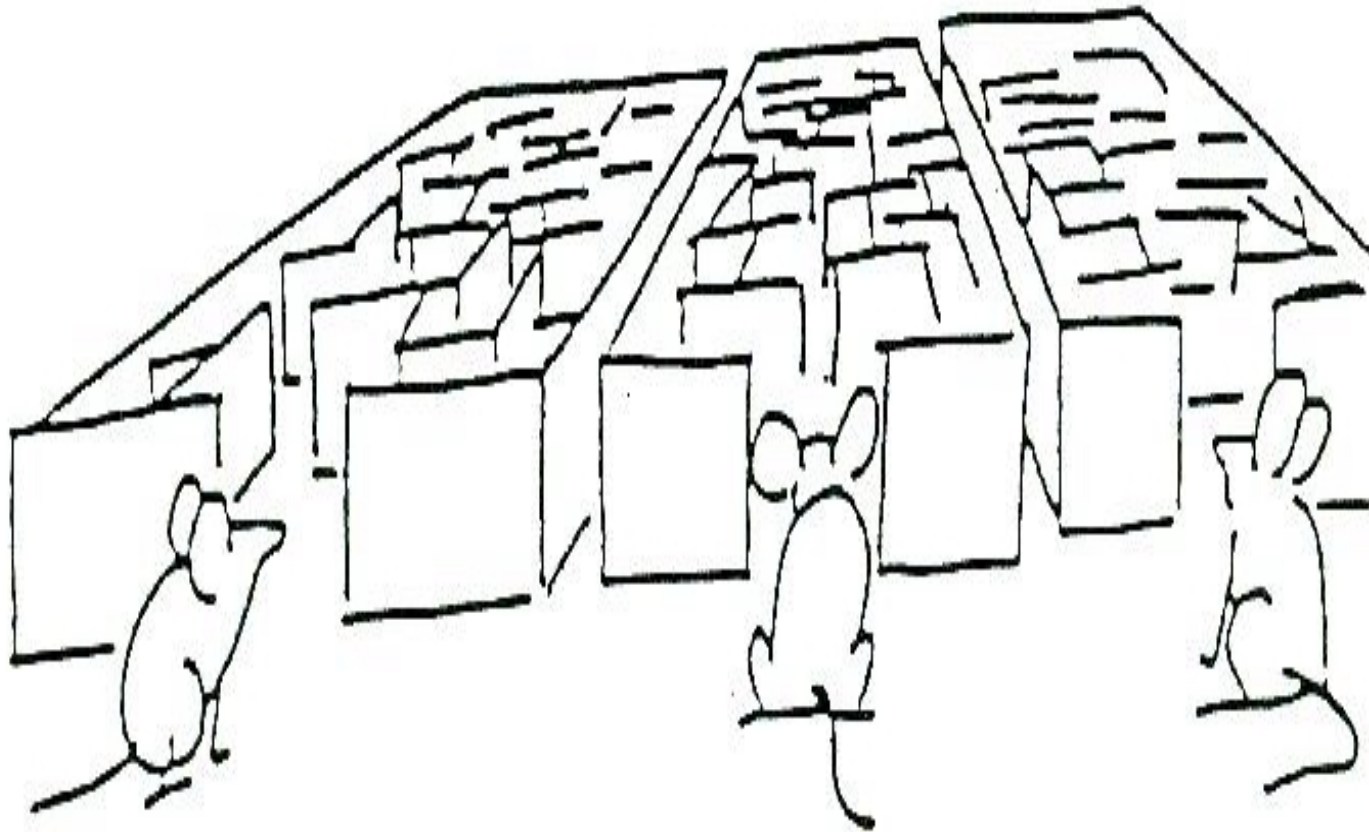




**What Do Providers Need
from the States
to Implement HIPAA?**

The HIPAA Maze



Standard Transactions

- Which state departments or agencies are considered Covered Entities (“CE’s”) under HIPAA?
 - We will need trading partner agreements
 - We need to know implementation plans
- Which of the state CE’s are going to ask for an extension?
 - Will partial implementation occur before 10/16/03?

Standard Transactions



- Which transactions do each of the state CE's intend to support?
 - What is each agency's testing and implementation plan?
 - How will providers be informed about this plan?
 - How does the state intend to support and/assist in provider testing?
- Trading Partner Agreements
 - Will any state CE be designating a subset of the maximum data set that they would prefer to have in order to conduct a transaction?
 - When will each CE be ready to negotiate these agreements?

Standard Transactions

- Will we need to continue to support other data gathering? (i.e. EARFs, BIFs, SAS)
- How will HIPAA compliant authorization transactions be conducted using External Review Organizations (“ERO”)?
 - Who will assure the ERO’s compliance with implementation?
 - Who will assure they are not asking for more data than allowed?
 - Do they prefer a subset of the data? How and when will we know?
 - Will the direct data entry process change if at all?

Service Codes



- When will the state begin the process of determining which service codes it will reimburse?
 - How will modifiers be used in determining payment eligibility?
- When does the state intend to give providers this information?
 - Will providers have any input into these decisions?
- Does the state intend to apply for any additional codes other than those in the SAMHSA draft set ?
 - For what services?

Service Codes



- How does the state intend to train providers on any new procedures, service codes, etc. resulting from implementation of the standard transaction regulations?
- What is the status of the development of Mental Retardation codes?

Privacy



- Which state laws will preempt HIPAA?
 - For example, consumer access to medical records, disclosures to the treatment team (internal and external) for treatment purposes without a release of information?
- Will the state help with determining the interaction between HIPAA and some of the major federal laws, e.g. 42 CFR Part 2?

Privacy



- Business associate agreements
 - Do we need them with the state CE's?
 - Do we need them with contractors hired by state CE's?
- State's policy and procedure for communicating PHI that will have an impact on our operations e.g. emails, faxes.
- Psychotherapy Notes – Will the state define?

Security



- Chain of Trust Agreements with State CE's
 - What is the state's plan for initiating this process?
 - When?

HIPAA General Issues



- **Communication**
 - **Website:**
 - We need contact people, GANTT Charts, implementation plans, guidance on state law, etc.
 - Bulletin Boards: To share information about our progress, form development, policy and procedure development.
 - **Training: we need the state's support to coordinate and fund:**
 - Access to training that is specific to provider operations and implementation.
 - Access to expert facilitated Provider Forums to work together on implementation issues.
 - We don't need anymore basic information on the new laws.

HIPAA General Issues

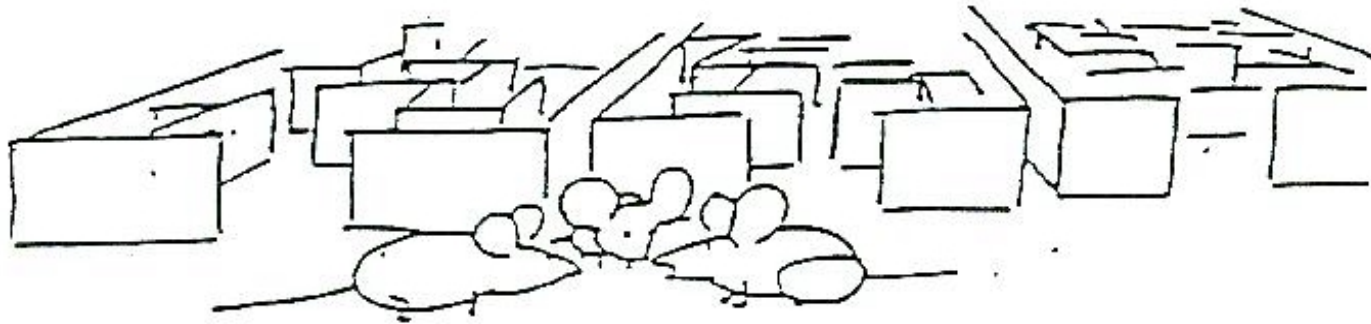


- Cost
 - Privacy Officer
 - Security Officer
 - Staff Training
 - Consumer Education
 - Software and Hardware Investment
 - Consultants

In Summary



- Communication/Information
- Support/Networking
- Teamwork



How to get through the HIPAA Maze!