

MINNESOTA UPDATE PRIVACY OF EMPLOYEES' MEDICAL RECORDS

Is your business “HIPAA” ready?

The Health Insurance Portability and Accountability Act is here! On August 9, 2002, the US Department of Health and Human Services (HHS) finalized the first comprehensive federal regulation that gives individuals sweeping protections over the privacy of their medical records. The final regulation under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) aims to provide strong privacy protections without interfering with Americans' access to quality health care.

Provisions of this regulation empowers individuals by guaranteeing them access to their medical records, giving them more control over how their protected health information is used and disclosed and providing a clear avenue of recourse if their medical privacy is compromised.

Who Must Comply?

HIPAA applies to you as an employer. If you use protected health information to make employment decisions such as hiring, administering FMLA (Family Medical Leave Act) leaves, ADA (Americans with Disabilities Act) accommodations, conducting drug screening or fitness-for-duty exams you must comply with the new HIPAA regulations.

Here are some of the steps you must take:

- Appoint your HIPAA Privacy Officer
- Generate your practice's HIPAA Policy and Procedure Manual
- Create authorization forms for pre-employment physicals, return-to-work physicals, drug tests, FMLA medical certification or any time personal health information is used for ADA purposes.
- Secure all personal health information
- Train your staff for HIPAA awareness

Please call us with any questions related to the new HIPAA regulations. EMPO Corporation: 612.285.8707.