



**TEXAS**  
Health and Human  
Services

**Texas Department of State  
Health Services**

# Operation Border Health Preparedness (OBHP) HIPAA

DSHS Health Service Region 11

Last Updated: 03/27/2023

# Objectives

- Describe what information is protected by HIPAA and who must comply with the act.
- Define what Operation Border Health Preparedness (OBHP) volunteers must do to comply with HIPAA.
- Identify special challenges in adhering to HIPAA in a mass care situation.



# HIPAA

- Describes what information is protected by HIPAA (Health Insurance Portability and Accountability Act of 1996). The original emphasis was allowing people to keep their health insurance when moving from job to job.
- Federal penalties for violating HIPAA standards can include fines from \$25,000 a year for a civil prosecution up to \$250,000 and 10 years in prison for a criminal prosecution depending on the nature of the offense.



# What is Protected Health Information?



“Protected Health Information,” or PHI, is information that is:

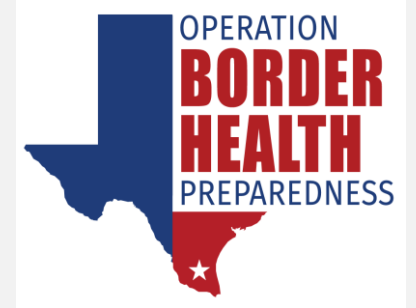
- Linked to specific person by name, social security number, date of birth, or other identifying, and
- Related to that person’s physical or mental health condition.



# Who Must Comply with HIPAA?

- The HIPAA privacy regulations apply to:
  - Health care providers such as physicians, dentists, clinics, hospitals, and nursing homes;
  - Health care insurance plans
- The Texas Health and Safety Code, Chapter 181 extends the HIPAA privacy requirements to “any person who comes into possession of protected health information.”
- Everyone participating in OBHP must comply with HIPAA.

# What does this mean for OBHP?



- Provide the DSHS HIPAA Privacy Notice to each client in English and Spanish
- Post the notice in locations visited by clients
- Obtain each client's written acknowledgement of receipt of notice
- Maintain the client's written acknowledgement as part of the client record



# What else must OBHP volunteers do?

## Maintain client confidentiality

- Only share PHI with those that need to know and that are bound by the same confidentiality requirements
- Treat all OBHP client's PHI with respect (how would we want our own PHI treated)
- Ensure OBHP client medical records are kept secure and private
- Be aware of confidentiality at all times
  - Be aware of the volume of our voice
  - Be aware if the public can hear us interviewing clients
- Do not discuss client care casually or in public places (lunchroom, break room, etc.)
- Be aware of identity theft



# HIPAA Breach

- A breach should be reported to lead and up the chain.
- Process for Breach
  - When confidential client information is used inappropriately or disclosed to unauthorized individuals, employees must notify their lead immediately.
  - The lead must then notify the DSHS Privacy Office of the privacy incident.
  - Managers can report a privacy incident by completing the [Potential Privacy/Security Incident Form](#) and submitting it to the [DSHS Privacy Office mailbox](#).
  - Once received, the DSHS Privacy Officer will review and investigate the incident to determine whether or not a breach occurred.

# Completion of OBHP HIPAA Training

- This completes the Operation Border Health Preparedness (OBHP) HIPAA Training.
- To earn credit for this training, you must first pass a short quiz demonstrating your knowledge of the material presenting in this training on the TRAIN Texas website (under the name “OBHP HIPAA Compliance Training”).



# You have learned the following objectives:

- Describe what information is protected by HIPAA and who must comply with the act
- Define what Operation Border Health Preparedness (OBHP) volunteers must do to comply with HIPAA
- Identify special challenges in adhering to HIPAA in a mass care situation



# TRAIN Texas Assessment Instructions

Carefully read these instructions before launching the assessment on the TRAIN Texas website:

- Follow any and all on-screen directions
- Read each question carefully and choose ONE best answer. Select each answer in the circle that corresponds to the question number. Once you have made your final answer choice, move onto the next question.
- You will not be able to skip questions or go back to previous questions.
- When you have completed the test, your test score will be displayed on your computer screen.
- Once you pass the test, download your certificate of completion and send a copy to your direct supervisor/volunteer coordinator.
- Keep a digital or physical copy of this certificate on your person throughout the duration of OBHP.

# Thank you!

## Operation Border Health Preparedness (OBHP) HIPAA

Please contact [phepphr11@dshs.texas.gov](mailto:phepphr11@dshs.texas.gov) if you have any questions, comments, or concerns regarding this training presentation or accompanied TRAIN Texas assessment!