

SIMPLIFY HEALTH INFORMATION TECHNOLOGY

# Health & Technology Newsletter

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## HITECH Act Impact on HIPAA-Many are Unaware

The passing of the HITECH Act of 2009 mandated additional guidelines for HIPAA. All Covered Entities (CEs) and Business Associates (BAs) as defined by HIPAA are required to comply.

The new guidelines are:

Business Associates of Covered Entities must be able to demonstrate that they are in compliance with administrative, physical, and technical safeguards of the HIPAA Security Rule.

A health care provider must honor a patient request to restrict disclosure of protected health information to a health

plan for purposes other than carrying out treatment (namely, payment or health care operations) if the patient pays the health care provider out of pocket in full.

The Breach Notification Rule goes into effect for “failure to provide the required notifications for breaches” of unsecured protected health information

**Enforcement began on February 18, 2010** and penalties have been substantially increased for noncompliance with HIPAA standards, which cover policies, procedures, actions, assess-



ments, and documentation requirements discovered during a compliance audit or complaint investigation. ■

## CMS-How Doctors Can Get EMR Incentives

The federal government has issued two sets of regulations that are designed to lay the groundwork for physicians and hospitals to receive payments for implementing and utilizing electronic medical records.

At stake is an estimated \$14.1 billion to \$27.3 billion in net Medicare and Medicaid incentive payments that the government expects to pay physicians over 10 years. The money was made available through ARRA.

For stage 1, which begins in 2011, CMS proposes 25 objectives for physicians to meet to be deemed meaningful EMR users. Physicians failing to adopt EMRs will face Medicare penalties. ■

## HIPAA Mandates a Business Continuity Plan



HIPAA contains strong requirements regarding disaster recovery and business continuity planning. It is therefore essential that all healthcare agencies launch the disaster recovery and business continuity planning program in a professional and straightforward manner. Section f 142.308 (a)(3) of the Proposed Security Standard requires health care providers, draft a business continuity/contingency plan, defined in the proposed regulation as "a routinely updated plan for re-

sponding to a system emergency, that includes performing backups, preparing critical facilities that can be used to facilitate continuity of operations in the event of an emergency, and recovering from a disaster."

HIPAA regulations describe the business continuity/contingency plan as one "which must contain a process enabling an enterprise to restore any loss of data in the event of fire, vandalism, natural disaster, or system failure. The plan must

allow a covered entity to recreate, in the throes of a disaster such as a fire, the entire infrastructure necessary to guarantee information availability. Since the first step in disaster recovery and business continuity planning is records protection. The safeguarding of vital and irreplaceable non-electronic documents is absolutely crucial for HIPAA compliance. You will need to show potential HIPAA inspectors a "best effort" to protect your most vital information assets. ■

“The maximum civil penalty for a data breach increased from \$25,000 to \$1.5 million.”

## New Data Breach Rules and Penalties

The U.S. Department of HHS has issued new regulations requiring health care providers and other entities covered by HIPAA to notify individuals when their health information is breached. The breach notifications were part of the ARRA passed in 2009.

The regulations require health care providers and other covered entities to promptly notify affected individuals of a breach.

In cases involving more than 500 individuals, covered entities are required to also notify the HHS and the media. Breaches affecting fewer than 500 individuals will be reported to the HHS Secretary on an annual basis.

The new regulations also require business associates to notify the covered entity of breaches at or by the business associate.

The maximum civil penalty for a data breach has increased from \$25,000 to \$1.5 million.

Jeff Back, Managing Partner at Oncore Associates stated, "This new law ensures that covered entities and business associates are accountable for the proper safeguarding of the private health information entrusted to them." ■

## Advantages of e-prescribing



E-prescribing offers clinicians a powerful tool for safely and efficiently managing their patients' medications. Compared to paper-based prescribing, e-prescribing can enhance patient safety and medication compliance, improve prescribing accuracy and efficiency,

and reduce health care costs through averted adverse drug events and substitution of less expensive drug alternatives. Taken together, these impacts translate to a higher quality, more efficient health care system that benefits all.

More specifically, e-prescribing can benefit your patients and practice by:

- Improving patient safety and quality of care.
- Reducing time spent on pharmacy calls.
- Automating the prescription renewal request and authorization process.■

## Financial Incentives for e-prescribing

In 2009 Medicare began a program for clinicians, offering a financial incentive for those prescribers using a “qualified” e-prescribing system.

A “qualified” e-prescribing system must be capable of performing all of the following functions:

- Generating a complete active medication list incorporating electronic data received from applicable pharmacy drug plan(s) if available
- Selecting medications, printing prescriptions, electronically transmitting prescriptions, and conducting all safety checks (safety checks include: automated prompts that offer information on the drug being prescribed, potential inappropriate dose or route of administration, drug-drug interactions, allergy concerns, or warnings or cautions)
- Providing information related to the availability of lower cost, therapeutically appropriate alternatives (if any)
- Providing information on formulary or tiered formulary medications, patient eligibility, and authorization requirements received electronically from the patient’s drug plan. ■



## Patient Kiosk

A patient kiosk utilizing touch screen technology, allows self-service patient check in, insurance and address information updates, and point of service co-payment and deductible payment with a swipe of a credit card during patient registration.

Kiosk registration systems enable your practice staff to focus on more complex tasks while the kiosk handles standard ad-

ministrative tasks during patient check in.

Kiosks can increase patient satisfaction by reducing waiting times and offering greater convenience and privacy. Many organizations also achieve significant operational benefits, including increased patient throughput and improved accuracy of demographic data in patient records.

John Rodgers from Oncore Associates stated, “Although fewer than 10% of health delivery organizations have implemented patient kiosks, the experiences of early adopters show that kiosks can be effective tools for improving service and efficiency and meeting rising patient expectations.” ■

*“Kiosks can increase patient satisfaction by reducing waiting times and offering greater convenience and privacy.”*

## Managed IT Services and Security

Given the speed of innovation in technology, most practices can’t expect to have all the IT resources they need to run a successful organization.

Managed IT services allows the practice to free up time and resources, enabling the practice to focus on patients. Typically,

managed IT services might include hosting, service desk provision, IT maintenance and application management.

Managed IT security covers a wide range of services all designed to prevent outages, lost productivity, information leaks

due to malicious or inappropriate activity.

Utilizing managed IT services and security offers tax benefits by running your IT as a service rather than an asset, i.e. operational expenditure rather than capital expenditure. ■



**With Oncore as your health information technology provider, you receive services on par with the largest Fortune 500 companies, but at an affordable monthly rate.**

**HIPAA Compliance**

Oncore utilizes a step-by-step methodology to perform your organizations' HIPAA compliance assessment and support you through all phases, delivering either specific services or our complete readiness suite. Our HIPAA compliance is a combination of business as well as technical solutions designed to work harmoniously to achieve and maintain your compliance.

**Managed IT Services and Security**

Our OnCall managed information technology, and OnGuard managed security services are 100% HIPAA compliant and will allow your organization to take advantage of cutting edge technology that might be otherwise cost prohibitive, particularly in a smaller practice. Choose from our core managed services offerings and a menu of fully integrated solutions that can be used to completely outsource your technology infrastructure, allowing you to focus on management of your practice.

**Business Continuity/Disaster Recovery**

A Business Continuity and Disaster Recovery plan can minimize downtime and keep your practice operational. Oncore Associates Business Continuity and Disaster Recovery planning will not only ensure that your critical patient data, equipment, and systems are recoverable but will also address the loss of key staff and real estate.

**EMR**

Oncore will conduct an EMR readiness assessment and provide complete implementation project management services. These services will consist of a workflow analysis, system selection, and post implementation optimization. After your system is in place we provide a complete suite of services designed to proactively monitor and secure your new technology infrastructure.

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