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| **Activity 1.3.2: Confidentiality** |

Introduction

Anna’s family is very private. They have been told that her medical records may provide clues as to how she died; therefore her records are being released to the medical examiner to determine her cause of death. Once completed, her autopsy report will become part of the public record. The Garcia family is confused because they thought that all medical information was confidential. They are looking for guidance regarding current laws governing confidentiality and medical information.

Most people want their medical information to remain private with limited access by other people. In 1996 the federal government passed the *Health Insurance Portability and Accountability Act*, known as *HIPAA*. HIPAA is a comprehensive set of standards and practices designed to give patients specific rights regarding their personal health information.

Consider the personal information to which healthcare professionals have access while performing their jobs. They know how many times you have been to the doctor and for what purpose. They know what you have been treated for and what medical tests you have undergone. Multiple laws and standards (including the HIPAA regulations) are designed to protect your privacy and to regulate the behavior of medical personnel who have access to medical information or witness medical procedures. Medical personnel who do not follow these regulations are subject to serious fines, loss of employment, and even criminal prosecution.

In this activity you will investigate the laws that relate to patient confidentiality and discuss why it is such an important responsibility for people working with patients. You will read real-world scenarios and determine whether patient confidentiality was protected or HIPAA was violated.

Equipment

* Laboratory journal
* Activity 1.3.2 Student Response Sheet

Procedure

1. Take notes in your laboratory journal as your teacher presents the HIPAA presentation.
2. Answer Conclusion questions 1 and 2.
3. Obtain an Activity 1.3.2 Student Response Sheet.
4. Work with a partner and read through each scenario. For each scenario decide whether or not you believe HIPAA was violated. Use your notes from the presentation to help you make your determination and defend your choice. Record your answers in the appropriate spaces on the Student Response Sheet.
5. Discuss each scenario as a class. After discussing each scenario, your teacher will share whether or not HIPAA was technically violated.
6. Answer the remaining Conclusion question.

Conclusion

1. Imagine you or a family member experienced a medical emergency. Explain two reasons when and why confidentiality would be important to you.
2. Explain two reasons that the release of private health information would be justified.
3. Did any of the scenarios surprise you? Explain your answer.
4. Was the release of Anna Garcia’s medical records to the medical examiner a violation of HIPAA? Explain your answer.