HIPAA and the Occupational Health Nurse

by Sheila M. Litchfield, RN, BSN, COHN-S, COHC

Occupational health nurses routinely manage client records and apply confidentiality standards in their practice. The applicability of Health Insurance Portability and Accountability Act (HIPAA) regulations is often not well understood. Also, these regulations are frequently confused as being broader in scope.

In responding to occupational health nursing practice questions, I have noticed two trends emerging. One is that members are unfamiliar with how to access the wealth of material available through the American Association of Occupational Health Nurses, Inc. (AAOHN) website. The other is how to apply the Health Insurance Portability and Accountability Act (HIPAA) to practice. In this article, I briefly address both.

The information privacy regulations of HIPAA restrict access to health information for individuals and companies who meet the “covered entity” criteria under the rule. In general, occupational health nurses are not covered entities nor are the workplaces in which they practice. A covered entity usually bills or pays for, processes, or provides health care information during the normal course of business. However, to determine whether the occupational health nurse’s work is covered by HIPAA, the nurse must determine if the company is indeed a covered entity. Definitions and flow charts to define a covered entity can be downloaded from www.cms.hhs.gov/HIPAAGenInfo/06_AreYouACoveredEntity.asp.

Several related documents can be accessed through the AAOHN website. The first is an AAOHN Advisory entitled “Confidentiality of Employee Health Information.” It is available by logging on to www.AAOHN.org and selecting “For Your Practice” followed by “Advisories.” “Confidentiality of Employee Health Information” is the second advisory listed. The specific link is www.aaohn.org/practice/advisories/index.cfm.

Other applicable documents can be found by searching the AAOHN Journal archives, which go back as far as 2002 online and are on the website. After logging on to www.AAOHN.org, select “For Your Practice,” then “AAOHN Journal,” and then “Search the Archives.” The specific link is www.aaohnjournal.com. The Journal archives can be searched by using a specific phrase or word. For example, a search using “HIPAA” yielded four entries from which to learn more about this subject (Sidebar).

The AAOHN Board and DCA, our association management firm, are currently upgrading the website to ensure a more logical flow when accessing materials. Until the new website is released, continue to explore the wealth of information available on the current website to assist you in your practice and profession.

ABOUT THE AUTHOR
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Results of a “HIPAA” Search

- Roadmap to HIPAA: Keeping Occupational Health Nurses on Track (4/1/2004)
- Key HIPAA Websites and Internet Resources (9/1/2002)