

Keeping health information protected and secure

Guidance for health-related social needs providers

Oregon Health Plan (OHP) is offering some members new health-related social needs (HRSN) services.

OHP's HRSN services will include:

- Climate support equipment like air conditioners and air filters
- Help with housing
- Nutrition and food support
- Help getting other services

Why you're getting this information

It's important for HRSN service providers to understand the laws around protected health information. That way you can know your role in keeping private health information protected and secure.

HRSN service providers and protected health information

Health care providers must follow Health Insurance Portability and Accountability Act (HIPAA) Rules. These rules keep health information private. OHP has policies to stay HIPAA compliant.

Even though HRSN service providers support OHA programs, you don't do the same kind of work as health care providers. For this reason, there's a question about how HIPAA Rules apply to you. Oregon Health Authority's (OHA) interpretation concluded that HRSN service providers don't have to comply with HIPAA Rules.

The information authorization sharing form

OHA takes our responsibility to safeguard member information very seriously. We also must follow HIPAA Rules. The U.S. Health and Human Services (HHS) Office of Civil Rights offers guidance on how to share health information with HRSN providers.

We developed an information sharing authorization form based on this guidance. It allows health care providers to share some private health information with you.

The form lets OHP members agree to let their health care providers share private health information with HRSN service providers. It also allows them to understand:

- How sharing their information helps them get services
- What types of information can be shared
- Who can see their information

And it clearly states that only the information needed to deliver care will be shared.

How OHP health care partners will use the form

OHP fee-for-service (open card) providers will use our information authorization sharing form. But coordinated care organizations (CCOs) may interpret HIPAA laws differently. CCOs are local health plans that serve Oregon Health Plan members. If you're working with a CCO make sure to contact them about their HIPAA policies.

If members don't sign the form

Acentra oversees OHP's fee-for-service health care providers. It will make sure members get the opportunity to sign the information sharing authorization form.

Members can still get HRSN services even if they decide not to sign the form. But without an authorization, Acentra isn't allowed to connect members to you. Members will need to contact you themselves to get the benefits.

You'll bill Acentra for the benefits you provide. But you can't be involved in care planning without a signed information sharing authorization form.

Working with a diverse group of HRSN service providers

OHA wants to make sure HRSN service providers represent the communities they serve. Our interpretation of HIPAA laws lets more organizations provide HRSN services. But we all share responsibility for protecting health information.

Even though you don't have to follow HIPAA Rules, you must only share health information when needed. And you must keep it secure.

How HRSN service providers must safeguard health information:

1. Only share information needed to provide HRSN services.
2. Have policies for how to store and use health information. Only staff who need to see it should be allowed to.
3. Limit what information you share electronically. Always encrypt messages and documents that include health information. Electronic communications are the least secure. If possible, share health information over the phone or in person instead.
4. Keep paper records in locked storage.
5. Only keep a record of health information that is needed to provide the service.

Questions?

- Email us at 1115Waiver.Renewal@odhsoha.oregon.gov.
- Visit the [U.S. Department of Health and Human Services website](#) to learn more about HIPAA.

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