

# MANUAL OF PROCEDURE

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**PROCEDURE NUMBER:** 2138

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**PROCEDURE TITLE:** Health Insurance Portability and Accountability Act of 1996 - Compliance

**STATUTORY REFERENCE:** 45 C.F.R. § 164.530 (g), (h), AND(k)  
FLORIDA STATUTES 1001.64 AND 1001.65

**BASED ON POLICY:** II-81A Health Insurance Portability and Accountability Act of 1996 - Compliance

**EFFECTIVE DATE:** November 8, 2005

**LAST REVISION DATE:**

**LAST REVIEW DATE:** November 8, 2005


## **I. PURPOSE**

To establish a framework for compliance in Policy II-81A with respect to health plan documents.

## **II. PROCEDURE**

- A. Although Miami Dade College as the sponsor of the Health Plan does not access, use or disclose protected health information with respect to the Health Plan, this policy establishes the basic standards that must be implemented for plan documents if the plan sponsor later desires to access or obtain such information.
- B. The plan documents that establish and govern the Health Plan or that provide health benefits to covered persons shall contain the provisions required under 45 C.F.R. 164.504(f)(2) prior to any disclosure of protected health information from the Health Plan to the plan sponsor (e.g. from the Health Plan to Miami Dade College in its role as the plan sponsor). Disclosure includes the provision of access to protected health information to any employee of Miami Dade College who is:
  - 1. Assigned to perform Health Plan administration functions, including claim processing, maintenance of enrollment and eligibility records, analysis of payment and utilization data, and other matters pertaining to the ordinary course of business of the Health Plan; or

2. Authorized to have access to protected health information on behalf of Miami Dade College in its role as plan sponsor for the purposes permitted by the plan document.
- C. The required plan document provisions (as set forth in 45 C.F.R. 164.504(f)(2)) must be in place before any employee of the Health Plan may permit an insurance company or Health Maintenance Organization (HMO) that has a contract with the Health Plan to disclose any protected health information other than “summary health information”<sup>3</sup> to Miami Dade College acting in its capacity as plan sponsor. Miami Dade College as the plan sponsor may receive “summary health information” from health plans, health insurance issuers, or HMOs to (1) obtain premium bids from health plans for providing health insurance coverage under the Health Plan, or (2) modify, amend or terminate the Health Plan.
  - D. The rules regarding disclosures of protected health information by the Health Plan to Miami Dade College as the plan sponsor restrict its access to and use of Health Plan protected health information to only the plan administration functions that Miami Dade College performs as the plan sponsor for the Health Plan.

	11/8/05
<b>PRESIDENT</b>	<b>DATE</b>

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<sup>3</sup> “Summary Health Information” means individually identifiable health information that (1) summarizes the claims history, claims expenses, or type of claims experienced by individuals for whom a plan sponsor has provided health benefits under a group health plan; and (2) from which the following identifiers of the individual or of relatives, employers, or household members of the individual, are removed: (A) Names; (B) All geographic subdivisions smaller than a State, including street address, city, county, precinct, full zip code, and their equivalent geocodes, (five digit zip codes are acceptable); (C) All elements of dates (except year) for dates directly related to an individual, including birth date, admission date, discharge date, date of death; and all ages over 89 and all elements of date (including year) indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older; (D) Telephone numbers; (E) Fax numbers; (F) Electronic mail addresses; (G) Social security numbers; (H) Medical record numbers; (I) Health plan beneficiary numbers; (J) Account numbers; (K) Certificate/license numbers; (L) Vehicle identifiers and serial numbers, including license plate numbers; (M) Device identifiers and serial numbers; (N) Web Universal Resource Locators (URLs); (O) Internet Protocol (IP) address numbers; (P) Biometric identifiers, including finger and voice prints; (Q) Full face photographic images and any comparable images; and (R) Any other unique identifying number, characteristic, or code. 45 C.F.R. § 164.504(a).