

Position Statement

Xmark and HIPAA

What is HIPAA?

HIPAA is the acronym for the Health Insurance Portability and Accountability Act of 1996, which was enacted by President Clinton and Congress in 1996. HIPAA is comprehensive healthcare legislation designed to protect patient privacy, reduce fraudulent activity, and improve industry efficiencies through a uniform standard for electronic healthcare transactions.

Among other provisions, HIPAA gives the U.S. Department of Health and Human Services (HHS) the authority to develop patient privacy protections and enforce them through their regulations. HHS has now followed the original provisions of HIPAA to draft the *Standards for Privacy of Individually Identifiable Health Information* (the Privacy Rule) to protect patients against the misuse or unauthorized disclosure of their health records, which includes the storing and transmitting of patient information through electronic media. These national standards came into full effect in April 2003 for large healthcare organizations and April 2004 for smaller organizations.

Who must comply with HIPAA?

All entities that are regulated by the U.S. Department of Health and Human Services (HHS) must comply with HIPAA—healthcare providers, health plans, vendors of healthcare information systems who host patient data, billing agents, service organizations and healthcare clearinghouses. (Most vendors are not required to comply with HIPAA standards if they are not dealing with patient information.) HIPAA requires enforcement of stringent guidelines for handling patient information both internally and externally by healthcare business partners and associates. However, the guidelines will be scalable—HIPAA requirements for smaller practices will be different from those for hospitals.

Our commitment to our customers

Xmark appreciates that HIPAA compliance is a major concern to every healthcare provider, and we are committed to working with our customers to ensure that they are fully compliant with all pertinent aspects of HIPAA. We have reviewed all HIPAA regulations and will align our organization to meet any compliance issues that relate to our products, services and customers. We will work with our customers to support their privacy policies and any requests they may have for specific functions or features in our infant protection products. Where applicable, we will make certain our products and services have the required technical, administrative and physical safeguards implemented to ensure HIPAA compliance is met.