

MACMHB

State Training Guidelines Workgroup

Training/Curriculum Recommendations

The intent of this Training Guideline is for the development and presentation of training content. Curricula based on this guideline will contribute to statewide training quality, uniformity, and reciprocity.

Topic: *HIPAA/Privacy/Confidentiality*

Defining Paragraph (Vision, Boundaries, Overall Outcome Statement):

The understanding of confidentiality requirements as it pertains to protected health information. HIPAA privacy and security are both addressed with particular attention to electronic communication such as e-mail, internet, fax, etc. as well as other forms of communication. Special considerations regarding electronic health records will be discussed.

Definitions:

Content– These are a listing of the areas covered in the subject.

Outcomes/Competencies – These are statements about what participants will be able to do as a result of having participated in the course.

Outline – A suggested approach to meeting Outcomes/Competencies. These three are interrelated, but not necessarily a one-to-one relationship.

Content:

1. Definition of HIPAA privacy and HIPAA security
2. Confidentiality and informed consent; applying it in appropriate contexts
3. How to release information legally
4. When information regarding individuals can be discussed and what information cannot be discussed
5. HIPAA requirements
6. Mental Health Code requirements

Outcomes/Competencies:

1. Participants will be able to describe confidentiality and informed consent

2. Participants will be able to describe how to release confidential records in compliance with HIPAA standards
3. Participants will be able to identify information appropriate for various settings.
4. Participants will be able to identify HIPAA resources
5. Participants will be able to identify Mental Health Code resources

Outline/Recommendations:

1. Differentiate between HIPAA privacy and security
2. Define confidentiality and informed consent
 - a. Overview and discussion of situations
 - b. Review HIPAA requirements
 - c. Review Mental Health Code and other legal requirements
3. Examine requirements related to electronic communications, including electronic health records
4. Small workgroups to discuss prepared scenarios – report to class what is incorrect and what correct outcomes/expectations would be in the scenario

Trainer Qualifications:

Check all that apply, be specific (years, degree, skills, etc):

- College Degree:
- License:
- Years' Experience (please specify below): 2+ years in working with informed consent and confidentiality issues
- Documented Skill Set:
- Training Experience (see below)
- Trainer in Adult Learning Styles/Methods:
- Other: Experienced trainer with content expertise and/or access to content expert.

Specified Experience:

Has overseen or supervised the process of releasing information. Has a very good knowledge of confidentiality and the requirements for such. Knows the mental health code and its implications for confidentiality.

Length of Training:

Length of training could be one to two hours.

- Skill-Building Assistance (Pre-Voc Skill Building / Non-Voc Skill Building)
- Supported/Integrated Employment Service (ie. Clubhouse, Competitive Employment, volunteer)
- Supported Living staff
- Adult Foster Care staff
- Respite Service staff
- Self-Determination staff
- In-Home service staff (children's program)
- Foster Family Group Home staff
- Child-caring Institutions (Children's Group Home) staff
- As identified in the Individual's Person Centered Plan
- Other employee group (specify):

Frequency:

It is recommended the content be reviewed/retaken.

- As directed by the Individual Plan of Service
- Initial & Annual
- Initial & As Needed
- Initial & Every two (2) years
- Initial & Every three (3) years
- Other: As needed based on conformance with standard

References/Legal Authority:

- 1) R 330.1801 et. seq.
- 2) MCL 400.710(3)
- 3) HIPAA
- 4) Mental Health Code
- 5) Prevailing State Guidelines and Practice Protocols

Note: If training is for an adult foster care facility/home adult foster care staff must also comply with the adult foster care administrative rules. In addition, in those situations where the contents of the training conflict with an administrative rule, the rule prevails.