

SECTION
GENERAL PROGRAM ADMINISTRATION

SUBJECT
Release of Information/Confidentiality/HIPAA

REQUIREMENT

Federal law requires that Medicaid information about an applicant/individual and provider eligibility, or the amount of assistance and services provided is confidential. Under this protection, information regarding individuals cannot be released without their written consent.

Information released for purposes directly connected with administration of the Medicaid Program does not require consent such as:

1. Establishing eligibility;
2. Determining the amount of medical assistance;
3. Providing services for individuals; and
4. Conducting or assisting an investigation, prosecution, or civil or criminal proceeding related to Medicaid fraud or abuse.

PROCEDURES

The provider agency should develop procedures to ensure that confidentiality is maintained. These procedures must include at least the following:

1. A determination that the individual requesting information will be using it for purposes directly connected with administration of the Medicaid Program.
2. Documentation of the date, purpose, and requesting individual/agency in the individual's record.
3. Denial of any request for information unrelated to the administration of the Medicaid Program until an individual's signed and dated authorization form is received.

All Department application forms state that the confidential information provided by the individual will be protected and will only be used for purposes directly related to administration of the program.

FREEDOM OF INFORMATION

Individuals have a right to view their own records.

