



1330 Post Oak Blvd, Suite 1600, Houston, Texas 77056
Phone: 713-963-3637; Fax: 713-432-0533
www.sarahcohenlaw.com

HIPAA, Not To Be Confused With A Hippo

In Estate Planning, one of the most common documents prepared is a HIPAA Release and Authorization. When I am discussing this document, many people ask, "What is HIPAA?" I have even had someone ask me, "Did you just say hippo?" In order to clarify the difference between the two, this article explains what HIPAA is, and what importance it holds. By the end of this article, it will be clear that HIPAA is not the zoo animal that is loved by all, but a crucial estate planning document.

What Is It?

The Health Insurance Portability and Accountability Act (HIPAA) encompasses several things, but one of its most important functions is the creation of privacy standards for health care providers and health plans today. HIPAA outlines the specific guidelines for the safekeeping of protected health information (PHI) and the disclosure of this information. It must be followed and complied with by all health care providers and health plans, at the risk of big fines and penalties for non-compliance.

Why Is It Important To You?

Every time you go to the doctor, he writes down all of your medical information. This includes your height, weight, blood pressure, reason for your visit, symptoms, etc. Every diagnosis the doctor has ever made is in that file. The same thing happens each time you go to the hospital, psychiatrist or psychologist, dentist, or allergist. Now how would you feel if all the information in those medical files was disclosed to any person that asked to see it? HIPAA is important to you, because it prevents your information from being freely disclosed. All health care providers must abide by strict guidelines to keep that information safe, and make sure you are informed before it is ever disclosed.

Due to these guidelines, some action on your part is needed in order to make sure that the proper people do have access to your information. A HIPAA Release and Authorization is signed in conjunction with a Medical Power of Attorney. This allows the agents appointed in your Medical Power of Attorney to have full access to your medical records and information. Without proper authorization, only a limited amount of information can be given to people needing to make medical decisions on your behalf. We all like to make informed decisions, and I think most would agree that the best way to do this is to have all of the information. Signing a HIPAA Release and Authorization is the best way to ensure that all of your relevant medical information is presented to your agents.

So the comparison:

HIPAA: A Federal Regulation protecting a person's private health information
vs.

Hippo: A large grey animal, commonly found at the local zoo, and known to be dancing in a pink tutu in Disney's Fantasia.

They are close, but hopefully the difference is now clear!