HIPAA DEFINITIONS:

Abuse – Willful infliction of physical pain, injury, or mental anguish on a vulnerable adult, the unreasonable confinement of a vulnerable adult, or the willful deprivation by a caretaker or services which are necessary to maintain the mental and physical health of a vulnerable adult.

Designated Record Set - HIPAA requires each covered entity to define its own designated record set. As such, UMMC defines its designated record set as:

• **Clinical Records** - All clinical information that is specific to an individual’s treatment, as listed in the Mississippi code § 41-9-61, that is stored in one or more of the following locations:
  o The University Hospitals and Clinics (UHC) paper record including those kept in Health Information Services (HIS) and/or those kept in the various hospital departments, as applicable;
  o The UHC Lifetime Clinical Record (LCR);
  o The UMMC Electronic Health Record System;
  o Graphic data generated by computer software within UMMC/UHC, such as EKGs;
  o All practitioner paper records (i.e. clinical departments, dental); and
  o Research records, but only that clinical data that is specific to the individual's treatment.

• **Billing Records** – Certain billing records that pertain to the individual are included in the definition of designated record set and include the following:
  o Remittance advice from a payer;
  o Itemized bills;
  o Medicare Advance Beneficiary Notices (ABN); and
  o Standard transactions, as applicable

• **Other Information** – Other pieces of information are considered part of the designated record set including:
  o Signed consent forms;
  o Advance directives; and
  o Signed acknowledgements, such as the acknowledgement of receipt of the Notice of Privacy Practices;
The designated record set will not include the following types of information:

- Information used for health care operations as defined below;
- Any other records used strictly for administrative or business purposes;
- Compiled data for purposes of accreditation and other aggregate data; and
- Photographs, slides, films, or other source data that are developed for educational purposes only.

**Exploitation** – The illegal or improper use of a vulnerable adult or his resources for another’s profit or advantage.

**Health Oversight Activities** - include any activities that are authorized by law, including audit; civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil administrative, or criminal proceeding or actions; or other activities necessary for appropriate oversight of the healthcare system.

**Exceptions to Health Oversight Activities** - A health oversight activity does not include an investigation or other activity in which the individual is the subject unless such investigation or activity is directly related to:

- The receipt of health care;
- Claim for public benefits to health; or
- Qualification for, or receipt of, health care coverage from public benefits or services program.

**Health Oversight Agency** – means an agency of:

- The United States;
- A State;
- A territory;
- A political subdivision; or
- Person or entity acting under a grant of authority from or contract with such public agency.

**Healthcare Operations** – Activities that UMMC performs in order to continue operating. Such activities include but are not limited to: quality assessment and improvement activities, population-based activities relating to improving health or reducing healthcare costs, case
management and care coordination, conduction of training programs, and compliance activities.

**Healthcare System includes:**

- Government benefit programs for which health information is relevant to beneficiary eligibility;
- Entities subject to government regulatory programs for which health information is necessary for determining compliance with program standards; or
- Entities subject to civil rights laws for which health information is necessary for determining compliance.

**Neglect** – The inability of a vulnerable adult who is living alone to provide for himself the food, clothing, shelter, health care, or other services which are necessary to maintain his mental and physical health.

**Protected Health Information (PHI)** – PHI as defined by the HIPAA, section 160.103, is all individually identifiable health information transmitted or maintained by UMMC, that is (1) Transmitted by electronic media; (2) Maintained in any electronic medium; or (3) Transmitted in any other form (oral communication included) or medium. The definition of PHI encompasses that of hospital records defined by Mississippi Code (§41-9-61), which includes...

"Without restriction, those medical histories, records, reports, summaries, diagnoses and prognoses, records of treatment and medication ordered and given, notes, entries, x-ray, and other written or graphic data prepared, kept, made or maintained in hospitals..."

**Vulnerable Adult** – A person eighteen (18) years of age or older or any minor not covered by the Youth Court Act who is present in the state and who, regardless of residence, is unable to protect his or her own rights, interests, and/or vital concerns and who cannot seek help without assistance because of physical, mental, or emotional impairment. “Vulnerable Adult” should also include all residents or patients, regardless of age, in a care facility.