



PENNSYLVANIA PSYCHOLOGICAL ASSOCIATION

416 Forster Street • Harrisburg, Pennsylvania 17102-1748 • Telephone 717-232-3817 • Fax 717-232-7294
<http://www.papsy.org>

What Is “HIPAA” And How Does It Affect My Psychological Treatment?

By James Vizza, M.Div., Psy.D.

The Health Insurance Portability and Accountability Act, better known as HIPAA, was signed into law in August 1996. The law has various components, which have been implemented on different dates.

The original intent of the legislation was to protect previously ill individuals from losing health insurance when they change jobs or move to a new place of residence. Three separate components of the law deal with technical aspects of electronic billing, patient privacy, and the security of records.

The part of the law of most interest to those receiving treatment is the section addressing patient privacy, the Privacy Rule. This section was fully implemented on April 14, 2003. Part of the Privacy Rule addresses the responsibilities of treatment providers, including psychologists, in safeguarding the confidentiality of patient health information. The rest addresses the rights of the person receiving treatment with regard to that information.

HIPAA has no impact on the treatment you will receive from a psychologist. The law in no way regulates what treatments are provided or how they are provided. Although it does impact on the confidentiality of records, individuals being treated by psychologists will notice little change. Records of psychological treatment have always been considered confidential information. Even before HIPAA, psychologists were both legally and ethically obligated to protect patient confidentiality. What HIPAA has done is to establish national standards providing special protection for psychotherapy notes. For example, an insurer may not require release of psychotherapy notes as a condition of payment. Of course, even under HIPAA psychologists remain obligated by law to release certain specific information, such as a revelation of child abuse or a threat of harm to self or others.

The main thing that patients will notice since the implementation of HIPAA is a slight increase in their paperwork. When entering treatment, they will receive a paper or brochure explaining their rights and the psychologist's responsibilities. They might be asked to sign a form acknowledging that they have been given that information. Take the time to read the information provided and ask

questions about anything that is unclear. Understanding your rights is a part of being an intelligent and informed consumer.

Talk to someone who can help. If you would like the name of a qualified psychologist in your area, please try our Psychologist Locator.