Safeguarding Protected Health Information

Visa is updating the privacy policies that limit who in our organization may use, discuss, review, and transmit the protected health information of our employees and their families. We take privacy seriously and these policies strengthen our commitment to maintaining the confidentiality of personal health information. They are also intended to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

The HIPAA Privacy Rule provides federal protections for personal health information held by group health plans and other entities that are subject to the rules (called "covered entities). HIPAA gives health plan participants an array of rights with respect to that information. At the same time, the Privacy Rule is balanced so that it permits the disclosure of personal health information needed for patient care and other important purposes.

The Security Rule specifies a series of administrative, physical, and technical safeguards for covered entities to use to assure the confidentiality, integrity, and availability of electronic protected health information.

Normally, your job at Visa does not require you to handle protected health information. However, you may come in contact with health information in your interactions with employees. Here are some guidelines to help you understand what you should do to protect the privacy of health information and support our new policies.

What is Protected Health Information (PHI)?

Under HIPAA, Protected Health Information (PHI) is confidential, personal, identifiable health information about individuals that is created or received by a health plan, provider or health care clearinghouse and is transmitted or maintained in any form. Although the Visa group health plans are covered entities under HIPAA, the plans do not usually retain the PHI of employees.

The HIPAA protections only apply to health information that is “individually identifiable”. Individually identifiable health information has 3 characteristics:

- Health information, including demographic information
- Relates to an individual’s physical or mental health or the provision of or payment for health care
- Identifies the individual

PHI does not include employment records held by Visa in its role as an employer (e.g., FMLA/ADA administration, sick leave requests, drug screenings, fitness for duty exams, disability insurance eligibility, etc.). Our privacy policies spell out how PHI can be used and who is authorized to use it.

Examples of PHI include phone calls, letters or e-mails from participants regarding claim or health care issues, completed medical claim forms, hospital bills, large claim reports, claim detail reports, monthly billing and reconciliation, claim appeal determinations, explanations of benefits, prescriptions and physician notes.
Do’s and Don’ts for Protecting Employees’ Privacy

DO:

• Maintain the confidentiality of any individual health information that you must use to perform your duties — for example, to handle a disability claim or FMLA request. Only discuss the information or share documents as specifically required for the task. **Do not disclose the information to anyone else.**

• Immediately forward any document that an employee gives you with his or her own health information to the appropriate benefits contact, or return it to the employee, as required. **Don’t keep a copy.**

• Employees should contact benefit representatives with questions about health issues and claims. These people are authorized and trained to handle protected health information and are familiar with the company’s benefit plans. However, you may discuss general benefit questions that **don’t involve discussing individual health needs or health status.**

• Notify the Benefits Department if you are aware of documents containing PHI that are not secured properly.

• Notify the Benefits Department if you are aware of any activity or procedure that appears to violate the privacy policies.

• Ask the Benefits Department for guidance if you are not sure whether a piece of information or request you receive would be considered PHI.

DON’T:

• Accept any verbal or written PHI from one person about someone else.

• Keep any documents that contain PHI.

• Make any exceptions to the policies for safeguarding health information privacy.

Highlights of Visa’s Privacy Policies

You also should note a few changes to our current practices:

• If an employee requests that Visa provide PHI to the disability carrier(s) for short- or long-term disability benefit applications, he or she must sign a PHI disclosure authorization form. However, in most cases, PHI will come directly from the employee’s health care provider.

• A participant can name a personal representative (such as a family member) to receive PHI by submitting a completed authorization form to the Benefits Department.

Still have questions about your responsibilities? Contact:

Benefits Department
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Foster City, CA 94404
(650) 432-8222
E-mail: BenefitsMail@visa.com