



NOTICE TO EMPLOYER GROUP HEALTH PLANS

Physicians Health Plan (PHP) has always recognized the importance of privacy and security related to health information. In response to the HIPAA Privacy Rule (Privacy Rule), PHP implemented a HIPAA privacy plan, which was effective April 14, 2003. As part of our plan, this document is notification of PHP's policy regarding the release of Protected Health Information (PHI) to employer group health plans that have contracts with PHP.

PHP's Policy Regarding the Release of PHI to the Designated Plan Administrator

Because PHP as a covered entity is prohibited from disclosing or using PHI except as permitted under the Privacy Rule, PHP will only release PHI to the *designated Plan Administrator* of your group health plan. The name of your Plan Administrator can be found on your current Contract Application. Please contact your Account Manager if:

- the Plan Administrator is listed incorrectly; or
- a person other than the Plan Administrator should be designated as a privacy contact authorized to receive PHI from PHP; or
- additional personnel are authorized by the group health plan to receive PHI from PHP.

While the Privacy Rule regulates the sharing of PHI, it does not require that a covered entity release PHI to a group health plan. Therefore, PHI will be released at the discretion of PHP in compliance with the Privacy Rule. If PHP releases PHI to the Plan Administrator, we will disclose only the "minimum necessary" information and only for plan administration functions.

In order to avoid being subject to the Privacy Rule requirements, some employer group health plans have elected to take a "hands off" approach to PHI by receiving only summary health information that cannot be linked to specific individuals. If you choose to refrain from receiving any PHI, please notify your PHP Account Manager.

The Government Entity Responsible for Enforcing the Privacy Rule

The Office of Civil Rights in the Department of Health and Human Services is responsible for enforcing the Privacy Rule. You can find information regarding the Privacy Rule on its website at <https://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/index.html>.

Whether your group health plan chooses to take the "hands off" or the "involved sponsor" approach to PHI covered by the Privacy Rule, we strongly urge you to contact an attorney familiar with the Privacy Rule to assist you in complying with whatever requirements may apply to your group health plan.

The Privacy Rule is designed to improve access to health coverage and protect the rights and privacy of all individuals, including employees and their dependents who participate in group health plans insured by PHP. We appreciate your patience and cooperation as we all continue to monitor regulations and operate according to policies designed to comply with the complex HIPAA rules.