

A Day in the Life of a Privacy Officer

Jeannette Frey
Privacy Officer
Fallon Community Health Plan

HCCA Managed Care Compliance Conference
February 6-8, 2011



Agenda

- Walk through a day in the life of a Privacy Officer
- Discuss skills necessary to be an effective Privacy Officer
- Share stories and learn from each other



Fallon Community Health Plan

- Founded in 1977, FCHP is a not-for-profit health plan located in Worcester MA
- FCHP owns UltraBenefits, a third party administrator, and owns through a joint venture, Home Staff, a home care agency
- Over 210,000 members and 850 employees
- Products include: HMO, PPO, POS, Medicare Advantage, Medicaid, Senior Care Options (SCO), and Program of All Inclusive Care of the Elderly (PACE)



8:30 am

- Received a question about disclosure of Social Security number to a business associate
 - Director of Health Programs
 - Reviewed the contract
 - Provided guidance
 - Documented



9:00 am

- Reviewed a Privacy and Security Questionnaire that was submitted by a potential vendor
 - Purchasing Manager, Security Officer, and the business owner
 - Addressed any issues and problems
 - Documented



10:00 am

- Received notification from Care Services that a provider received approximately 100 faxes from us for individuals who were not their patients
 - Director of Care Services and Information Technology
 - Determined root cause
 - Reviewed the faxes
 - Determined if there are any notification requirements (SSN, risk of harm analysis, type of members)
 - Worked with provider to destroy faxes and certify destruction
 - Documented



11:00 am

- Completed response to a member complaint regarding disclosure of information to a vendor.
 - Legal, Sales, Network Development, Care Services, Member Appeals and Grievances, Customer Service Communications
 - Investigated issue
 - Drafted response, reviewed
 - Documented



12:30 am

- Received a question about a disclosure of records to the personal representative of a member
 - Member Appeals, Legal, Care Services, Claims
 - Reviewed personal representative document
 - Determined approach
 - Documented



1:30 pm

- Received a request to burn a CD
 - Business owner and Information Technology
 - Review information to get burned and reviewed recipient of the data
 - Documented



2:00 pm

- Received telephone call from a member who has been receiving mail for another member
 - Manager of Customer Service
 - Informed Customer Service of issue and asked them to investigate
 - Documented



3:00 pm

- Received a question from Sales regarding disclosure of information to consultants working on behalf of employer groups to submit cost information for the Early Retiree Reinsurance Program
 - Sales and Product Development
 - Reviewed the issue
 - Provided guidance
 - Documented



4:00 pm

- Question from PACE caregivers about posting on a participant's caringbridge.com site
 - Site Director, Director Communications, Chief Compliance Officer
 - Reviewed Social Media Policy
 - Provided guidance
 - Documented



5:00 pm

- Continued business associate contract negotiations with a vendor who deleted every single one of my last edits and who said the deal is off if we don't agree to their terms by the end of the next business day.
 - Legal, Purchasing Manager, business owners
 - Reviewed contract
 - Discussed approach
 - Documented



Necessary Skills

- Ability to effectively work with all areas of the organization, at all levels
- Ability to interact effectively with external parties, e.g. members, potential vendors
- Ability to balance business needs with legal and regulatory requirements
- In depth knowledge of privacy laws and regulations and company policies and procedures
- Knowledge of notification requirements and ability to implement quickly
- Ability to communicate with all areas of the company—up, down, and peer to peer



questions?

