



Carolinus HealthCare System

# Telebehavioral Health Technology Compliance for HIPAA

Alex Obert

Sr. Application Specialist

Carolinus Healthcare System

One

# Content

- HITECH Act
- Types of Telemedicine Providers
- Carolinas HealthCare System Use
- Technology Options
- Conclusion

# HITECH Act

Health Information Technology for Economic and Clinical Health Act (HITECH) designed to “promote the widespread adoption and interoperability of health information technology”, defines use of providers.

HIPAA/HITECH requires (among other things) for :

- Access control
- *Audit controls*
- Person or entity authentication
- Transmission security
- *Business Associate access controls*
- Risk Analysis
- Workstation security
- Device and media controls
- Security management process
- *Breach Notification*

# Types of Telemedicine Providers

In terms of telemedicine services, there are two types of providers for telemedicine technology:

- **Business Associate (BA)** - vendor/contractor that transmits, maintains and has access to PHI
  - BA provides the technology for the covered entities and assumes the HIPAA responsibilities for security/privacy
  - Covered Entity (CE)\*\* may house servers, infrastructure inside CE network, however BA is responsible for maintaining technology
  - If recording visits, must have BA
  - Lower risk and higher security for CE
- **Conduits** - Provides transportation of information but does not access it other than on a random/infrequent basis to ensure performance
  - Conduits do not maintain PHI
  - Lowest security and highest risk for CE
  - CE assumes HIPAA risks for security/privacy

\*\*Covered Entity is a health plan, clearinghouse or provider who electronically transmits health information

# CHS Infrastructure

- Utilize internal Vidyo infrastructure
  - Thorough committee process to make decision
    - Multiple teams (network, security, application, admin) involved
    - Required vendor questionnaires, documentation
    - Cost
  - Infrastructure inside CHS firewalls
  - BA with vendor for upgrades/escalation
  - Internally managed for daily support
  - Login required for clinician, linked to system AD
- Patient/Clinician connect in secure area
  - Patient in room (acute or ambulatory exam room)
  - Clinician in access controlled area
  - Physician in access controlled office or hospital
- Outreach
  - In outreach scenario, CHS becomes BA and assumes HIPAA responsibilities for CE

# Technology Options

| Technology      | BA         | Conduit | Telebehavioral Health Compliant | Cost       |
|-----------------|------------|---------|---------------------------------|------------|
| Vidyo           | ✓          |         | ✓                               | \$\$       |
| Cisco           | ✓          |         | ✓                               | \$\$\$\$   |
| Polycom         | ✓          |         | ✓                               | \$\$\$\$   |
| Philips         | ✓          |         | ✓                               | \$\$\$\$\$ |
| Cerner          | ✓          |         | ✓                               | \$\$\$\$\$ |
| VeeSee          | ✓          |         | ✓                               | \$         |
| Apple FaceTime* |            | ✓       |                                 | \$         |
| Microsoft Skype | <b>TBD</b> |         | <b>TBD</b>                      | \$         |
| WebEx           |            |         |                                 | \$         |
| Google          |            |         |                                 | \$         |

\*Per VA, FaceTime is an approved technology, as long as patching/security are in accordance with guidelines  
<http://www.va.gov/TRM/ToolPage.asp?tid=7953#>

# Conclusion

- HIPAA broad guidelines allow majority of telemedicine technologies to be acceptable
- Selection of technology should be based more on the risk, compliance, cost and organizational process of the healthcare provider

# Questions?

[Alex.Obert@carolinashealthcare.org](mailto:Alex.Obert@carolinashealthcare.org)

