

HIPAA DEFINITIONS

Protected Health Information: means individually identifiable information relating to the past, present and future physical or mental health or condition of an individual, provision of health care to an individual, or the past, present or future payment for health care provided to an individual.

Designated Record Set: means a group of records maintained by or for Easterseals that is: the medical and billing records relating to an individual maintained by or for a health care provider; the enrollment, payment, claims adjudication, and case or medical management systems maintained by or for a health plan, or; used, in whole or in part, by or for Easterseals to make decisions about individuals.

Treatment, Payment and Health Care Operations: includes all of the following:

Treatment: means the provision, coordination, or management of healthcare and related services, consultation between providers relating to an individual, or referral of an individual to another provider for health care.

Payment: means activities undertaken to obtain or provide reimbursement for health care, including determinations of eligibility or coverage, billing, collections activities, and utilization review.

Health Care Operations: includes functions such as quality assessment and improvement activities, reviewing competence or qualifications of health care professionals, conducting or arranging for quality review, legal services and auditing functions, business planning and development, and general business and administrative activities.

Disclosure: means the release, transfer, provision of access to, or divulging in any other manner of information outside of Easterseals.

Personal Representative: means a person who has authority under applicable law to make decisions related to health care on behalf of an adult or an emancipated minor, or the parent, guardian, or other person acting in *loco parentis* who is authorized under law to make health care decision on behalf of an unemancipated minor, except where the minor is authorized by law to consent, on his/her own or via court approval, to health care services, or where the parent, guardian or person acting in *loco parentis* has assented to an agreement of confidentiality between the provider and the minor.

Workforce Members: means employees, volunteers, trainees, and other persons whose conduct, in the performance of work for the organization, its offices, programs or facilities, is under the direct control of Easterseals, regardless of whether they are paid by Easterseals.

Business Associate: a person or organization that performs a function or activity on behalf of a covered entity, and has access to protected health information in the course of performing the function or activity, but is not part of the covered entity's workforce. A business associate can also be a covered entity in its own right.

Originated: 3/03

Reviewed: 12/04, 8/07, 6/08, 8/09, 7/10, 8/11

Revised:

CONSUMER ABUSE/NEGLECT DEFINITIONS

ABUSE is defined as an “act of commission” against a child or adult that is generally characterized in three categories.

- **PHYSICAL ABUSE:** the non-accidental injury of a person, usually involving the use of physical force that can be reasonably expected to result in physical harm.
- **SEXUAL ABUSE:** any sexual activity upon or with a child or unlawful sexual conduct when the alleged victim is an adult.
- **EMOTIONAL ABUSE:** chronic acts which interfere with the psychological and/or social well-being of a child or adult. Emotional abuse may include intimidation, harassment, coercion, and humiliation.
- **VERBAL ABUSE:** Using words or gestures to threaten, coerce, intimidate, harass, or humiliate an individual. (ORC 5123:2 –17-02 (6) (a) (iii))
- **MISAPPROPRIATION:** Depriving, defrauding, or otherwise obtaining the real or personal property of an individual by any means prohibited by the Ohio Revised Code, including Chapters 2911 and 2913 of the Ohio Revised Code. (ORC 5123:2-17-02 (6) (b))

LEGAL CUSTODY: A certified copy of divorce decree or other official court documents that identifies “*residential parent and legal guardian.*”

- **SHARED PARENTING:** When a divorce decree indicates that a “*shared parenting*” arrangement exists, Easterseals will assume that both parents have full parental rights toward a child, including the right to sign documents and the right of access to a child’s records in accordance with Easterseals policy.
- **LEGAL GUARDIANSHIP:** Proof of current guardianship must be provided in the form of official documentation from a probate court. Expired guardianship may not be accepted. It is the responsibility of the guardian to provide documentation whenever guardianship is renewed.
- **NON-PARENT CUSTODIAN:** When a court has awarded custody to a person other than a child’s parent (such as grandparent, foster parent, etc.), a certified copy of juvenile court orders must be provided that identifies the legal custodian of the child.
- **ADOPTIVE PARENTS:** Adoptive parents must provide a copy of “*Final Decree of Adoption*” and “*Adoption Certificate for Parents.*”

NEGLECT is the failure to provide any individual with treatment, care, goods, supervision or services necessary for health and safety, when there is a duty to do so.

- **PHYSICAL NEGLECT:** failure to meet the requirements basic to physical development and needs such as supervision, housing, clothing, medical attention, nutrition and support.
- **EMOTIONAL NEGLECT:** failure to provide the support and/or affection necessary for psychological and social development.

Originated: 4/02

Reviewed: 6/02, 10/03, 12/04, 2/05, 10/06, 8/07, 10/07, 10/08, 8/09, 7/10, 8/11

Revised: 6/02, 10/08

EASTERSEALS CENTRAL & SOUTHEAST OHIO, INC.**Personal Health Information/Electronic Personal Health Information Access**

Department	E-Mail	PHI (Paper)	EPHI	Waiver Billing	G.L.
Admin Intern/Student	X				
Admin Volunteer		X			
Adult Inclusion Coordinator	X	X	X	X	
Adult Inclusion Specialist I	X	X	X		
Adult Inclusion Specialist II	X	X	X		
Billing Manager	X	X	X	X	X
Chief Executive Officer	X	X	X		
Chief Financial Officer	X	X	X	X	X
Community Services Manager	X	X	X	X	
Custodian	X				
Development Assistant	X				
Chief Development Officer	X				
Chief Human Resources Officer	X	X	X		
Marketing & Community Engagement Manager	X				
Early Intervention Manager	X	X	X		
Early Intervention Teacher's Assistant	X	X	X		
Early Intervention Specialist	X	X	X		
Executive Assistant	X	X	X		
Fiscal Manager	X	X	X	X	X
Health & Safety Committee Members		X	X		
HIPAA Privacy Officer		X	X		
HIPAA Security Officer		X	X		
Human Resources Manager	X	X	X		

Department	E-Mail	PHI (Paper)	EPHI	Med Rehab Billing	Waiver Billing	G.L.
In Home Coordinator	X	X	X		X	
LTC Ombudsman Program Manager	X	X	X			
LTC Ombudsman Specialist	X	X	X			
Occupational Therapist	X	X	X			
Personal Care Assistant	X	X	X			
Physical Therapist	X	X	X			
Program & Services Assistant	X	X	X			
Program Intern/Student	X	X	X			
Program Volunteer		X				
Receptionist	X	X	X			
Registered Nurse	X	X	X			
School Age Program Manager	X	X	X			
Speech Language Pathologist	X	X	X			
Summer Classroom Assistant		X				
Summer Lead Teacher		X				

Originated: 4/05

Reviewed: 8/07, 8/08, 8/09, 7/10, 4/14, 9/17, 5/19

Revised: 8/07, 8/08, 8/09, 7/10, 4/14, 9/17, 9/18, 5/19