

THE ADVISOR

MONTHLY COMPLIANCE COMMUNICATOR



ATTENTION: There's an Update to the Blood Exposure Process!

Have you heard? The post exposure management process for potential bloodborne exposures has been updated. This change is based on the CDC's Testing and Clinical Management of Health Care Personnel Potentially Exposed to Hepatitis C Virus, published in 2020.

Please join Karen Gregory, RN, on Wednesday, January 20th at 12 noon EDT, as she explains this update and the impact on handling exposures. A written post-exposure protocol will be provided as part of this session.

This session will cover the following:

- Recommended testing for both the source patient and exposed healthcare worker
- Follow-up for documented hepatitis C exposure

At the end of this session, the attendee will:

- Discuss post-exposure testing of source patients
- Describe post-exposure testing of exposed healthcare worker

This session is designated for 1.0 hours of continuing education credit.

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HIPAA COMPLIANCE



WHEN A MINOR BECOMES AN ADULT

When a minor becomes an adult, they become the owner of their medical record. Here are a couple of things to consider: When does a minor become an adult? What does the practice need to do to ensure proper handling of the record?

A minor can become an adult in several ways.

- They reach the age of 18. One good way to keep aware of this is to post a sign at the front desk or break room that states, "Patients born in 2003 turn 18 this year."
- They join the military. Federal law states that all members of the military are adults even if they are below the age of 18.
- They get married. In this case they need to inform the practice if they are under 18 and produce the paperwork. It is not the responsibility of the practice to ask.
- The state can declare them emancipated. The patient is responsible for informing the practice by providing a copy of the court documentation.



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HIPAA COMPLIANCE

- They **MAY** become an adult if they have a child. This is controlled by state law. In some states the underage mother has ownership of the child's records but is still considered a minor when it comes to her own record. In other states, the mother is immediately considered an adult. In yet other states, both parents are considered adults. You need to know what your state dictates. This information is available on your state's website. Your medical/dental board or business lawyer may also be a good resource.
- There are state laws that give the minor ownership over certain aspects of their records. For example, if a minor is seeking treatment for an STD some states have declared the minor owns that information not the parents. This does not make the minor an adult.



Tax law often creates confusion. A person who is 18 - 23 years old may still be considered a dependent of the parents if they are in school. This does not change the fact that they are considered an adult and fully in control of their records and treatment.

When your patient becomes an adult, several things need to happen.

Provide them with a Notice of Privacy Practices and get them to sign any HIPAA authorizations needed. All contracts are now the responsibility of the new adult and any old authorizations, restrictions and access requests are no longer in effect. Be sure to have this conversation with the new adult alone even if they are accompanied by a parent. This can prevent getting the practice involved in potentially volatile or embarrassing situations.

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HIPAA COMPLIANCE

Here are some frequently asked questions.

Q Do the parents of the new adult still have any rights or access to the patient's information?

A No, unless authorized by the new adult.

Q Can the parent still accompany the new adult?

A Yes. Anyone can accompany any patient. HIPAA considers that the patient's consent is implied in this circumstance.

Q Can the parent still take financial responsibility for the new adult?

A Yes. Anyone can pay but the ultimate responsibility is with the new adult as it is with any other patient.

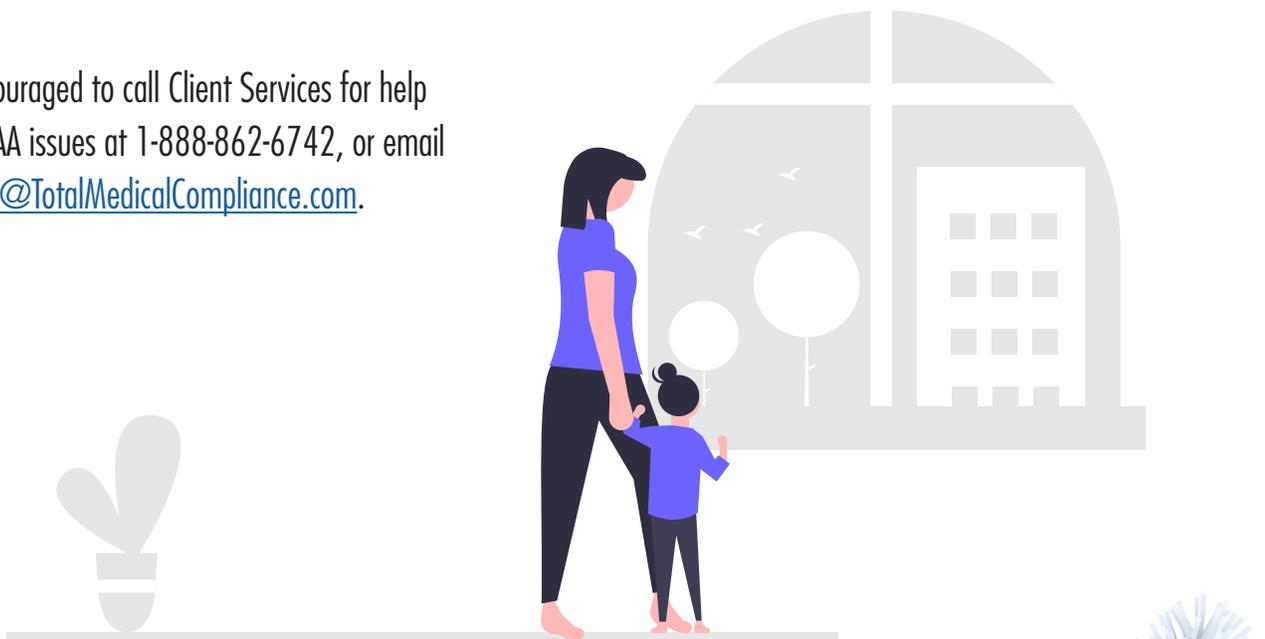
Q Can the parent still make appointments for the new adult?

A Yes. Once again, anyone can make an appointment unless your practice has a policy against it.

Q Can the parent still confirm appointments?

A This is a little more complicated. If they call and have all the information, then yes, you can confirm. If someone calls and says I need to know when Mr. X has his next appointment, I advise caution. The key is not to give out protected information.

TMC clients are encouraged to call Client Services for help on this or other HIPAA issues at 1-888-862-6742, or email questions to Service@TotalMedicalCompliance.com.



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ONLINE COMPLIANCE TRAINING

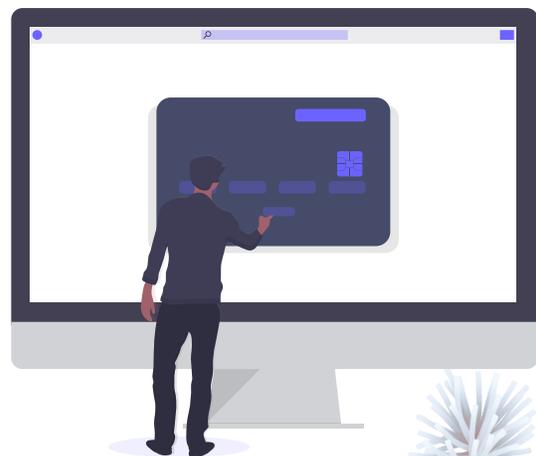


TMC CELEBRATES THE FIRST ANNIVERSARY OF NEW ONLINE COMPLIANCE TRAINING

Last January, we launched our new online training platform. Even though we had a few small hiccups, it has been a smooth transition. We are looking forward to a great experience for our clients using our renewal process for 2021.

We have good news for our eCompliance and online training clients. You will not have to re-enter your employees in the system. We can just renew your employee's courses while keeping the previous data!

With your online training account already set up in our new platform, the process will be a little different. Once you pay your invoice or purchase your courses in our online store, we can get you started. Just review your employee list making sure everyone is current. Then let our team know your list is complete and we will renew your account. It's that easy!



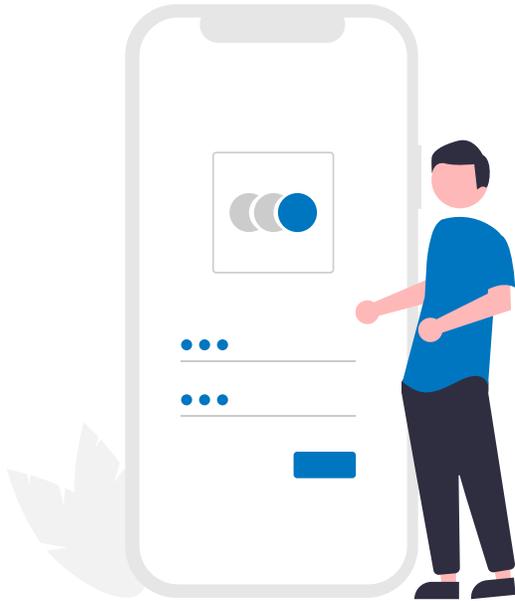
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ONLINE COMPLIANCE TRAINING



What if I do not renew my service on time?

You will lose access to the system on your renewal date if you have not renewed by then. No users will be able to log in. Don't forget to look at our bundled courses and eCompliance Packages to save you money, time, and get the training you need for your employees.

[Human Resource Courses](#)

[TMC OSHA & HIPAA Courses](#)

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IT'S YOUR CALL

OSHA:

What is the current recommendation for Hepatitis C, baseline testing for the source patient?

HIPAA:

Should our office use 128- or 256-bit encryption to send emails securely?

[CLICK HERE FOR ANSWERS](#)

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INSTRUCTIONS

Print and post newsletter in office for staff review. Each member should sign this form when completed. Keep on file as proof of training on these topics.

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