



META *law, inc.*

MUEGENBURG ESTATE & TRUST ATTORNEYS

Because every life needs a good plan.

1893 Knoll Drive • Ventura, CA 93003

ph: 805.856.3400 fax: 805.654.0295

www.METAlawinc.com

AUTHORIZATION UNDER HIPAA AND CMIA FOR USE AND DISCLOSURE OF PROTECTED HEALTH INFORMATION

What is HIPAA?

HIPAA is the United States Health Insurance Portability and Accountability Act of 1996. There are two sections to the Act.

- HIPAA Title I deals with protecting health insurance coverage for people who lose or change jobs.
- HIPAA Title II includes an administrative simplification section which deals with the standardization of healthcare-related information systems. HIPAA Title II seeks to establish standardized mechanisms for electronic data interchange, security, and confidentiality of all healthcare-related data.

The Confidentiality of Medical Information Act (CMIA) is a California law that protects your private health records. The restrictions on the release of your private health records under CMIA are similar to and consistent with the restrictions under HIPAA.

Why do I care about HIPAA?

The "Privacy Rule" created by the regulations implementing HIPAA is intended to protect the privacy of your medical records in part by restricting to whom health care institutions may release your health care information without your consent. However, there may be circumstances where the restrictions created by this rule will prevent someone whom you want to be able to access your medical records from doing so.

It is not a given that the people closest to you--your spouse, your parents, your children--will have access to your health records without a written authorization from you. The law provides that an

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entity covered by these rules (i.e., doctors, hospitals, health insurance companies) may release this information without your authorization for permitted uses, including but not limited to, giving and assessing your treatment, insurance billing, benefitting the public health, requests by a court or law enforcement, organ donation programs, and a workers' compensation carrier.

How do I authorize people to access my health care information?

All you need to do is submit a signed copy of our form authorization to your health care providers and health insurance company which identifies the people whom you would like to have access to your health care information.

Whom should I authorize to have access to my health care information?

Our form identifies individuals who may need access to your health care information in order to carry out that individual's role with respect to the management of your assets and the implementation of your estate plan. For example, when we prepare a living trust for a client, the trust instrument provides for a Capacity Panel to determine when the client is no longer able to act as trustee of the trust. The members of this Capacity Panel may need access to your health care information to make this determination.

Can I revoke the HIPAA authorization?

Yes. You can revoke the authorization at any time by notifying anyone to whom you have provided a copy of the authorization.

Where can I find your form Authorization under HIPAA and CMIA if I want to fill out a new form or advise my family or friends to fill out the form?

You can find our form Authorization under HIPAA and CMIA available for download from our website at **www.METALawinc.com**. Click on "Resources" in the menu at the top and then click on "HIPAA Authorization" under the list of Forms and Visual Aids.

This page on our website includes instructions for completing the form as well as a link to these frequently asked questions. We make this form available free of charge to anyone, so feel free to recommend this form to your family and friends.