

Ritter's Compliance Officer Van Hang is a top resource for all things compliance. Follow his best practices to avoid data breaches and risk of an audit.

KEY TERMS	
PHI	Protected Health Information
PII	Personally-Identifiable Information

## Your Liability

As business associates of covered entities, insurance agents are responsible for complying fully with the HIPAA Privacy and Security Rules. If you use a subcontractor, you are directly liable for the acts of the subcontractor. This includes anyone whose responsibility it is to manage your Rolodex.

Know the scenarios that constitute a potential breach and the protocol for reporting them. Depending on the contract, agents are either required to report it to the covered entity or their immediate upline. When in doubt, ask!

## Managing Information

You must protect PHI and PII in all forms, whether written, electronic, or spoken.

### *Paper Applications*

Agents often handle a high volume of paper applications with enrollees' PHI or PII. Be sure to keep paperwork separate and don't try to work on multiple applications at the same time. There could be an issue if you send the wrong document to someone who isn't authorized to see that patient's information.

### *Technology*

**LAPTOPS:** Stolen laptops are a common issue that can lead to significant problems. The best practice is to encrypt all electronic devices containing PHI or PII with full-disc encryption and pre-boot authentication. Windows comes standard with BitLocker and MacOS has FileVault to meet these needs.

**STORAGE:** When possible, do not store PHI or PII on mobile devices or flash drives. Taking a picture with PHI or PII on a cell phone can lead to issues if it's not properly managed.

**EMAIL:** Typos are a frequent problem. When sending emails, double-check the recipients to make sure your email client didn't auto-populate the wrong name.

**PHONE:** Do not give PHI or PII to a third party over the phone without the patient's consent, or unless explicitly allowed by your agreement with the covered entity.

[Click here](#) to read more about insurance agents' responsibilities under HIPAA.