



GEORGIA'S SOURCE FOR IMPORTANT PHYSICIAN INFORMATION

Growing Concern Over Racial Health Disparities Addressed

Healthcare industry leaders recently met at Morehouse School of Medicine in Atlanta to examine growing concern about the need for greater diversity among those who practice medicine or work in the medical field.

The Sullivan Commission on Diversity in the Healthcare Workforce convened executives and public health leaders for the first of six hearings held across the country this year. Findings from the meeting will be added to the commission's final report on bringing about change at U.S. medical schools and eliminating unequal access to health services.

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Physician FAQ on HIPAA

This is the third in a three-part series of frequently asked questions and answers concerning HIPAA.

Q: Does HIPAA require patient authorization for disclosures of health information related to treatment, payment or healthcare operations?

A: No. Physicians may disclose **protected health information** (PHI) under the HIPAA Privacy Rules without obtaining patient authorization if the disclosure is made for purposes of **treatment, payment or healthcare operations** (TPO). Under the Rules, treatment generally means the provision and management of care (including

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Risk Management Tips - Record Retention

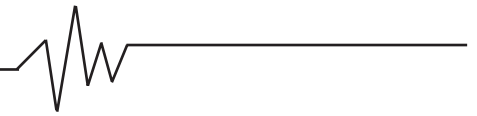
Medical records and x-rays are essential for continuity of care and for the defense of medical professional liability actions. How long medical records must be kept is determined by the potential use of the record and specific legal requirements.

Type of Record	Suggested Retention
All hospital records	Six years after discharge
Hospital records of patient with multiple admissions	Six years after most recent discharge
Hospital records of minor patient at time of discharge	Until patient reaches 27 years of age
General medical office records	10 years after last visit or discharge from hospital
Medical office records of minors	10 years after last visit or discharge from hospital
X-rays	10 years after last visit or discharge from hospital and/or as long as the medical record
Superbills	Contact an accountant regarding retention for tax purposes. Any medical information documented on the superbill should be documented in the record as well. If information documented on the superbill is not included in the medical record, then the superbills need to be retained as long as the medical record.
Office records for deceased patients	Minimum of 10 years

Medical records should be kept indefinitely for the following situations:

- Those with less than desirable outcomes
- When patients are unhappy with results
- Any time a patient threatens or files a lawsuit

For more information about medical record retention, please call a MAG Mutual risk management consultant at 404-842-5600 or 800-282-4882.



(Physician FAQ, continued from page 1)

consultation among healthcare providers), while the term payment encompasses the various activities of healthcare providers to obtain payment or reimbursement for their services. Healthcare operations are certain administrative, financial, legal and quality improvement activities necessary to run a medical practice and to support the core functions of treatment and payment. According to the U.S. Department of Health & Human Services, healthcare operations include arranging for legal services, reporting claims and disclosing PHI to medical professional liability insurers for defense purposes.

In practice, the TPO exception means physicians may consult with one another on a patient's care and bill health insurers for medical services rendered without specific patient authorization. It also means that physicians may defend themselves from medical professional liability claims by disclosing PHI to their professional liability insurers and their defense attorneys without patient authorization. Physicians should carefully evaluate the impact of applicable state laws and HIPAA Privacy Rules on any disclosure of PHI, but it is merely a myth that patient authorization is required for any and all disclosures of PHI under the HIPAA Privacy Rules.

If you need more information or have any questions, please call David Miller at 770-931-7700 or visit www.coderscentral.com. •

Mark Your Calendar

Civil justice reform is NOT dead. Following are upcoming medical meetings where a topic of conversation among healthcare professionals is bound to be civil justice reform. Join your fellow physicians and support the American Medical Association and the Medical Association of Georgia's efforts to get civil justice reform passed nationally and locally.

**Medical Association
of Georgia
House of Delegates**
Thursday-Sunday
August 21-24
Hilton Head, SC

**Georgia
Medical Society
Super Meeting**
Tuesday, September 16
Alee Temple
Savannah, GA

**2003 Greater Atlanta
Legislative Forum**
Thursday, September 18
Villa Cristina
Restaurant
Atlanta, GA

(Growing Concern...Addressed, continued from page 1)

According to Louis W. Sullivan, M.D., former U.S. Secretary of Health and Human Resources, African-Americans make up 30 percent of the population in Georgia, but only eight percent of Georgia's physicians, 11 percent of dentists and 15 percent of nurses. Hispanics represent four percent of the state population, but only 1.7 percent of physicians, two percent of dentists and 0.8 percent of nurses.

The Sullivan Commission on Diversity in the Healthcare Workforce is comprised of 15 health, business and legal professionals and other leaders and is chaired by Dr. Sullivan, who is also a MAG Mutual board member. •

Did you know?

MAG Mutual Healthcare Solutions (MMHSI) has been publishing and selling books to assist you with the business aspects of your practice since 1995. Some of these publications are the Physicians' Fee and Coding Guide, HIPAA Compliance Manual, CPT, ICD-9 and HCPCS.

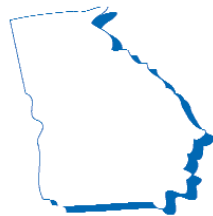
Now we are publishing a comprehensive catalog of all of our most popular books. The catalog will be shipped to all MAG Mutual policyholders during the month of August. Please be on the "look-out" for this information. If you have any questions, please contact Erica Benjamin at 678-226-0092 or 888-738-7480.

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