

# HIPAA - The Grand Deception

HIPAA *does not* protect health privacy

*Contrary to popular belief*

## YOU ARE NOT REQUIRED TO SIGN HIPAA “PRIVACY” FORMS

The HIPAA form is **only an acknowledgment** that you have received the clinic or hospital “**Notice of Privacy Practices.**”

### According to the U.S. Department of Health & Human Services:

- You are **not** required to sign any form acknowledging that you received the notice.
- Signing **does not** mean that you have agreed to any special uses or disclosure of your health records.
- Refusing to sign the acknowledgment does not prevent the entity from using or disclosing health information.
- If you refuse to sign an acknowledgment, the provider must keep a record that they failed to obtain your acknowledgment.

Read more at: [bit.ly/HIPAAnotice](http://bit.ly/HIPAAnotice)

### Due to Federal Laws and Rules:\*

- **2.2 million** entities (600,000 health care providers and 1.5 million business associates) can access your private medical records without your consent.
- Interoperable computerized medical records **allow your data to be shared** by health insurers, government officials, the data industry and others.
- State Health Information Exchanges (HIEs) have been created to share your medical records statewide and in the National Health Information Network, now called eHealth Exchange.
- The government has broad access to your medical records **unless a stronger state law exists**. HIPAA allows state laws to limit sharing and require consent.

\* Health Insurance Portability and Accountability Act of 1996 (HIPAA), the federal HIPAA Privacy Rule, and the Health Information Technology for Economic and Clinical Health Act (HITECH, 2009)

## TAKE ACTION

**NOTE:** Signing the HIPAA form **does not** provide you with any privacy or consent rights, but your signature could be **used against you** if you ever declare that your privacy rights have been violated. Clinics and hospitals could use your signature to argue that you knew your information could be shared.

### Take action to protect your health privacy:

- **Refuse** to sign HIPAA acknowledgment forms.
- **Ask your state lawmakers** to pass legislation that protects you from HIPAA and protects your private medical records from being accessed by the government and others without your voluntary informed written consent.