States and HIPAA information

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**Alaska:** Alaska’s Department of Health and Social Services (DHSS) Commissioner’s Office of Finance and Management Services offers information at [http://health.hss.state.ak.us/das/is/hipaa/default.htm](http://health.hss.state.ak.us/das/is/hipaa/default.htm). Sections on physical and administrative security requirements as well as the national provider identifier. Website also includes an extensive “preemption analysis” to assist in determining whether Alaska law is more stringent than HIPAA.

**Arizona:** The Arizona Department of Insurance is the only link to HIPAA information on the State’s website. The Life and Health division have published the following forms:

- HIPAA data report and instructions
- HIPAA report on products offered in the individual marketplace
- HIPAA report on earned premium volumes and covered individuals
- HIPAA report on products/marketing materials available to eligible individuals

Arizona has their administrative codes on-line, though none seem to reflect HIPAA guidelines.

**Arkansas:** This website, [http://www.hipaa.state.ar.us/](http://www.hipaa.state.ar.us/), offers extensive information on HIPAA’s compliance procedures, outreach sessions, and related links. The website also indicates that less than 3% have filed for an extension to the Transaction and Code Sets Standards compliance deadline of October 16--just under 50 days away.

**California**

All information relating to HIPAA for CA can be found at [http://files.medical.ca.gov/pubsdoco/pubsframe.asp?hURL=/pubsdoco/Publications/bulletins/HIPAA/hipaa_m.htm](http://files.medical.ca.gov/pubsdoco/pubsframe.asp?hURL=/pubsdoco/Publications/bulletins/HIPAA/hipaa_m.htm)

**Colorado:** The Department of Insurance has made available on-line consumer fact sheets that can be found at [http://www.dora.state.co.us/insurance/consumer/hipaa2.htm](http://www.dora.state.co.us/insurance/consumer/hipaa2.htm). The State Controllers Office [http://www.sco.state.co.us/HIPAA/HIPAA.htm](http://www.sco.state.co.us/HIPAA/HIPAA.htm) offers a presentation given at the Colorado Contract Improvement Team meeting on August 21, 2002 by Kathleen Archuleta from the Attorney General's Office that addresses: Using Colorado model business associate contract forms
Model HIPAA business associate placeholder provision

Instructions for use of model HIPAA business associate contract documents

HIPAA Business associate interagency MOU

Model HIPAA contract clause for new contracts or amendments

HIPAA Business Associate Addendum

**Connecticut:** A website [http://www.doit.state.ct.us/HIPAA/HIPAA.htm](http://www.doit.state.ct.us/HIPAA/HIPAA.htm) is available as a “resource for Connecticut State agencies who are members of the State of Connecticut HIPAA Coordinators Group. Information on this site is provided to assist these agencies in developing plans and strategies for compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The HIPAA Program Office at the Department of Information Technology (DOIT) is organizing the efforts of State Agencies (with the exception of the state Medicaid Program) to ensure full compliance with the HIPAA mandate. State Agencies may contact the HIPAA Hotline with any questions. Please note, the HIPAA Hotline is available for State Agencies only.”

**Delaware** The Delaware Division of Substance Abuse and Mental Health offers links only on their website [http://www.state.de.us/dhss/dsamh/hipaa.htm](http://www.state.de.us/dhss/dsamh/hipaa.htm)

**District of Columbia:** The Department of Health [http://dchealth.dc.gov/hipaa/hipaaoverview.shtm](http://dchealth.dc.gov/hipaa/hipaaoverview.shtm) offers background information as well as a Medicaid HIPAA Compliant Concept Model (MHCCM) Version 2.0

**Florida:** The statewide HIPAA information update can be found at [http://www.myflorida.com/myflorida/sto/hipaa/index.html#team](http://www.myflorida.com/myflorida/sto/hipaa/index.html#team) “The State Technology Office (STO) is currently finalizing a Request for Quote (RFQ) to establish an Enterprise HIPAA Coordination effort within the State. The successful culmination of this effort will provide a team charged with providing leadership, guidance and oversight of statewide HIPAA compliance efforts. Until now, the HIPAA effort within our State has been on an agency-by-agency basis. The Enterprise HIPAA Coordination effort will provide the State with needed direction, planning, analysis, monitoring, and validation.

Our primary goals for this project are to: 1) develop a blueprint for statewide HIPAA compliance with applicable Federal rules; 2) maintain and monitor the State’s progress with compliance; 3) ensure the necessary leadership for compliance; and 4) as directed by proviso, provide the State Technology Office with a plan identifying the steps needed to produce an enterprise risk assessment report, a gap analysis report, and a remediation schedule necessary for state agencies to achieve HIPAA compliance. We recognize there is a need for high-level coordination among agencies as well as with the State’s executive leadership. Plans are for the HIPAA team to produce an Enterprise HIPAA risk assessment, gap analysis report, and a remediation schedule to enable State agencies to achieve compliance with Federal HIPAA guidelines and regulations.
With the State's Enterprise HIPAA Coordination Team in place, there will be interagency meetings where strategies, compliance issues, agreement on definitions (i.e. covered entity status), best practices and guidelines will be determined. The team will also establish a State web page as a part of MyFlorida so that the State's HIPAA information will be readily accessible to all State agencies.“

**Georgia:** All HIPAA information can be found at [http://www.communityhealth.state.ga.us/](http://www.communityhealth.state.ga.us/) this includes the administrative simplifications with the transaction and code sets, privacy statements, and outreach opportunities.

**Hawaii:** There is no information about HIPAA that is centrally located, most of the information is outdated. [http://www.state.hi.us/](http://www.state.hi.us/)

**Idaho:** The website [http://www2.state.id.us/dhw/hipaa/home.htm](http://www2.state.id.us/dhw/hipaa/home.htm) includes an explanation of a HIPAA Project Management team. In addition to the HIPAA Project Management Team, “currently, 31 statewide consortiums exist dedicated to bringing their state's healthcare industry into compliance with the Health Insurance Portability and Accountability Act (HIPAA). These consortiums consist of representatives of all parts of the healthcare delivery system including providers, public and private payers, vendors, state agencies and employers.

These HIPAA compliance consortiums make sense for many reasons but primarily they are driven by the realization that HIPAA compliance may not be possible without a collaborative effort. HIPAA is extraordinarily complex and far-reaching. Compliance will be difficult and expensive for every entity, from the largest insurers and hospitals down to the smallest provider office.”

**Illinois:** All documents concerning HIPAA relate to IL’s Comprehensive Health Insurance Plan (CHIP) [http://www.chip.state.il.us/chip.htm](http://www.chip.state.il.us/chip.htm). IL has complied with the individual portability requirements of HIPAA. A summary of coverage can be found at [http://www.chip.state.il.us/summcover.htm](http://www.chip.state.il.us/summcover.htm) and a summary of eligibility can be found at [http://www.chip.state.il.us/fedeligbl1.htm](http://www.chip.state.il.us/fedeligbl1.htm)

**Indiana:** General information can be gathered at [http://www.in.gov/idoi/hipaa.html](http://www.in.gov/idoi/hipaa.html)

**Iowa:** “The State of Iowa has formed an enterprise HIPAA Project Office to oversee and report on the HIPAA-related activities within the executive branch of state government and to provide governmental entities in Iowa with advice and assistance in addressing the many challenges they face in their effort to achieve HIPAA compliance.” [http://www.state.ia.us/government/hipaa/index.htm](http://www.state.ia.us/government/hipaa/index.htm)

**Kansas:** Kansas has a detailed website entitled HARK (HIPAA Awareness and Readiness for Kansas and can be found at [http://www.hark.info/](http://www.hark.info/) including information on their workgroups.
**Kentucky:** All HIPAA information for Kentucky can be found at [http://chs.state.ky.us/dms/HIPAA/default.htm](http://chs.state.ky.us/dms/HIPAA/default.htm) The website includes the transactions that have been adopted in addition to covered services, regulations and statutes, resource information.

**Louisiana:**

Louisiana has a link to an overview of HIPAA regulations, entitled ‘Making HIPAA Happen’ [http://www.dhh.state.la.us/HIPAA/OMHversion.pdf](http://www.dhh.state.la.us/HIPAA/OMHversion.pdf) and a website that details ‘Making HIPAA Happen’ [http://www.dhh.state.la.us/HIPAA/index2.htm](http://www.dhh.state.la.us/HIPAA/index2.htm)

**Maine:**

The Maine Department of Professional and Financial Regulation, Bureau of Insurance has a link to the CMS website for all of the HIPAA information [http://www.state.me.us/pfr/ins/ins_links.htm](http://www.state.me.us/pfr/ins/ins_links.htm) On July 10, 2002 a statement was made by Harry Lanphear stating: He discussed the efforts concerning HIPAA implementation. He said that DHS was “ahead of the game” in complying with federal requirements. The State hired a consultant to review the need for other departments to conform to HIPAA. The State is challenging the inclusion of the Department of Education and the Department of Defense, Veterans, and Emergency Management in the groups needing to make their data and systems compliant. He is supporting a legislative request of $2.6 million to help departments implement the standards. The federal government has extended the deadline for compliance and the State should be able to comply by the new deadline. The State’s MFASIS system is one of the systems that need to be brought into compliance. [http://www.state.me.us/policybd/MinutesMar15.htm](http://www.state.me.us/policybd/MinutesMar15.htm)

**Maryland:** HIPAA information for Maryland can be found at [http://dhmh.state.md.us/HIPAA/](http://dhmh.state.md.us/HIPAA/) On the website are published meeting minutes from a HIPAA task group as well as links to requirements, data elements, and privacy information.

**Massachusetts:** The HIPAA website for Massachusetts is [http://www.state.ma.us/dma/hipaa/hipaa.htm](http://www.state.ma.us/dma/hipaa/hipaa.htm) The Massachusetts Division of Medical Assistance states that “DMA intends to follow its plan to be HIPAA compliant by October 2002, and will continue to assess progress towards meeting this goal.”

**Michigan:** Michigan offers HIPAA information through Department of Community Health. There is no designated website, but in completing a search there is information on planning seminars, frequently asked questions, and readiness for implementation. A specific link is made to HIPAA Codes For Mental Health and Substance Abuse Procedures [http://www.michigan.gov/mdch/0,1607,7-132-2945_5100-47022--,00.html](http://www.michigan.gov/mdch/0,1607,7-132-2945_5100-47022--,00.html)

**Minnesota:** Providers will be able to easily navigate this site [http://www.dhs.state.mn.us/hipaa/](http://www.dhs.state.mn.us/hipaa/). The Department of Health Services stated that “Although Minnesota already has existing data privacy and administrative uniformity
laws, HIPAA will significantly impact health care business processes here — and throughout the country.

DHS is working to comply with HIPAA and ensure that our business partners can continue to do business with us electronically. We welcome your feedback and questions about DHS and HIPAA.”

**Mississippi:** The main page of the website [http://www.hipaa.state.ms.us/](http://www.hipaa.state.ms.us/) addresses the current deadline for the October 2002 compliance and a privacy assessment tool. “A work group comprised of state agencies has been established for the purpose of sharing information and resources. This group meets on a regular basis.”

**Missouri:** Missouri offers links to sites on the government page that are related to HIPAA. Many are an overview of HIPAA itself, though Missouri does have the data elements in an Excel format posted on the website.

**Montana:**

On the State’s website there is an outlined plan of action and can be found at [http://www.dphhs.state.mt.us/hpsd/medicaid/hipaa/challenge.htm](http://www.dphhs.state.mt.us/hpsd/medicaid/hipaa/challenge.htm) A HIPAA summit was held on December 13, 2000, MT has posted a Q&A format outlining the discussion of the summit and can be found at [http://www.dphhs.state.mt.us/hpsd/medicaid/hipaa/q&a.htm](http://www.dphhs.state.mt.us/hpsd/medicaid/hipaa/q&a.htm) Recently released publications to execute MT’s HIPAA Administrative Simplification Plan can be found at [http://www.dphhs.state.mt.us/hpsd/medicaid/pdf/cjsum2000.pdf](http://www.dphhs.state.mt.us/hpsd/medicaid/pdf/cjsum2000.pdf)

**Nebraska:** The most current information on HIPAA is as follows:

As provided by Public Law 107-105, the Administrative Simplification Compliance Act, a compliance plan will be filed with the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) to allow for an October 16, 2003 compliance.

A Request For Proposal (RFP) for an EDI translator was issued and the Sybase EDI Server and HIPAA Toolkit products have been selected. Implementation plans are in progress and testing will begin as soon as the technical architecture is completed.

The agency plans to follow the Strategic National Implementation Process (SNIP) schedule in implementing the transaction and code sets transaction regulation.
A website for the NE SNIP was developed and is located at http://www.nesnip.org/index.htm

**Nevada:** Nevada’s HIPAA policies are being carried out through the State’s Department of Insurance [http://www.doi.state.nv.us/](http://www.doi.state.nv.us/) The website outlines policies, rates, and contact information in addition to a HIPAA report reminder [http://www.doi.state.nv.us/HIPAA-hipaa00-1.htm](http://www.doi.state.nv.us/HIPAA-hipaa00-1.htm)

**New Hampshire:** The Developmental Disabilities Services System is the only New Hampshire state website that addresses HIPAA [http://www.nhdds.org/nhddsit/HIPAA/](http://www.nhdds.org/nhddsit/HIPAA/) According to the website “the final briefing for Executive Directors, Business Managers and Provider Network Members was held December 5th, concluding the HIPAA Education Project. With HIPAA background provided in the briefings, the above-mentioned participants have received the necessary information to effectively plan how best to meet HIPAA requirements. Preparing for (and meeting) HIPAA objectives will now be in CSNI and Area Agency hands.”

**New Jersey:** When HIPAA was the search name, the Department of Pensions and Budgets detailed the affect on the State Health Benefits program [http://www.state.nj.us/treasury/pensions/coltr00.htm#hippaupdate](http://www.state.nj.us/treasury/pensions/coltr00.htm#hippaupdate) COBRA, Medicare, and Medicaid are mentioned but there is no current information.

**New Mexico:** For information on the HIPAA Awareness and Preparedness program, which contains HIPAA tools go to [http://www.rld.state.nm.us/b&c/rcb/HIPPA%20Seminar%20Announce.PDF](http://www.rld.state.nm.us/b&c/rcb/HIPPA%20Seminar%20Announce.PDF)

**New York:** The State has organized a Central HIPAA Coordination Project multi-agency Education & Awareness workgroup. The workgroup has held a satellite broadcast explaining what you need to know concerning HIPAA in New York State. [http://www.oft.state.ny.us/hipaa/index.htm](http://www.oft.state.ny.us/hipaa/index.htm)


**North Dakota:** The information listed related only to budget appropriations and did not address other aspects of HIPAA. [http://lnotes.state.nd.us/dhs/dhsweb.nsf/Search?SearchView](http://lnotes.state.nd.us/dhs/dhsweb.nsf/Search?SearchView)

**Ohio:** Ohio has implemented an engagement management structure with details on the responsibilities of the workgroups. [http://www.state.oh.us/hipaa/ems.htm](http://www.state.oh.us/hipaa/ems.htm) There is a fair amount of information on the implementation of the privacy rule.
**Oklahoma:** There were no results found relating to HIPAA on this website.

**Oregon:** “On July 24, 2002 we submitted our request for an extension for the transaction and code sets deadline and received confirmation that our request was received. There is no approval process required for this extension. This means that our compliance deadline for this part of HIPAA is now officially Oct. 2003.” All other HIPAA information can be found at [http://www.hr.state.or.us/hipaa/project/welcome.html](http://www.hr.state.or.us/hipaa/project/welcome.html)

**Pennsylvania:** “Despite the one year delay of the HIPAA legislation signed in December of 2001, DPW will be ready to accept the 837, 835, NCPDP 5.1, and 270/271 transactions on October 16, 2002 for those providers that want to submit their claims in these formats. Specific testing dates will be released in the future on this website.

DPW’s long-term and permanent solution to the HIPAA requirements began in June 2001 when we released a Request for Proposal to procure a new HIPAA ready Medicaid Management Information System (MMIS). Based on current implementation schedules, our new MMIS should go live in the spring of 2004.

The gap between October 16, 2002 and the spring of 2004 required us to develop a short-term plan that involves the use of the current MMIS to comply with the HIPAA requirements to the best of its ability. This plan utilizes EDS as a clearinghouse to accept provider’s HIPAA compliant transactions and then convert them back to the formats recognized by the current MMIS. This process will also work in the reverse when information is returned to the provider.” Additional information can be found at [http://www.dpw.state.pa.us/omap/hipaa/omaphipaa.asp](http://www.dpw.state.pa.us/omap/hipaa/omaphipaa.asp)

**Rhode Island:** Information listed on the website details Federal government standards and a summary of the organizations and agencies in the state involved in the implementation. [http://www.dhs.state.ri.us/dhs/dhipaa.htm](http://www.dhs.state.ri.us/dhs/dhipaa.htm)

**South Carolina:** All of the State’s HIPAA information can be found at [http://www.hipaa.state.sc.us/](http://www.hipaa.state.sc.us/) There is a link to ‘Steps to HIPAA compliance’ [http://www.hipaa.state.sc.us/steps.pdf](http://www.hipaa.state.sc.us/steps.pdf)

**South Dakota:** The State provides several links to different HIPAA related websites. The website does not give indication of the current status of ET implementation in the State.
Tennessee: The Department of Finance and Administration, Bureau of TennCare has issued Medicaid rules and Standard rules.  
http://www.state.tn.us/tenncare/Medicaidrules.pdf  
http://www.state.tn.us/tenncare/Standardrules.pdf

Texas: In searching for HIPAA four results were found. The most relevant website was a link to a non-profit member supported company, Rx2000  
In addition there is a brief article that addresses what Texas has done with patient rights.  
http://www.oag.state.tx.us/newspubs/ask_the_ag/2001/12sb11.pdf

Utah: The State created two committees to deal with the standard transactions and privacy aspects of HIPAA.  
http://yeehaw.state.ut.us/yeehaw?DB2=state&T2=eutah&Query=HIPAA

Vermont: There is no HIPAA information on the State’s website.

Virginia: This website contains an overview of HIPAA information with links to websites that address HIPAA compliance. There is minimal content that addresses the status of the State.  
http://www.dmas.state.va.us/HIPAA/hipaa.htm

Washington: The State website contains a slide show for HIPAA readiness. “We are making all of our resources available to help health care providers file their extensions and achieve HIPAA compliance. We are already hosting periodic conference calls, forums for discussion and questions between providers and CMS. Anyone can participate, and the calls are free.”  
http://fortress.wa.gov/dshs/maa/dshshipaa/

West Virginia: The website states that it is under construction and only has HIPAA information from the Federal level.

Wisconsin: The website “applies to billing vendors, Medicaid HMOs and other managed care programs, as well as providers participating in the following Wisconsin health care programs administered by the Division of Health Care Financing (DHCF).”  
An explanation of the extension is also given.  

Wyoming: The State summarizes what HIPAA is, there is no reference to Wyoming’s implementation.  
http://wdh.state.wy.us/wdh/hippa.htm