



## **Complete Care Center for Women Policies and Procedures**

### **Identity Theft Prevention and Detection and Red Flags Rule Compliance**

#### **Policy**

It is the policy of Complete Care Center for Women to follow all Federal and State Laws and reporting requirements regarding identity theft. Specifically, this policy outlines how CCCW will (1) identify, (2) detect, and (3) respond to “Red Flags”. A “Red Flag” as defined by this policy includes a pattern, practice, or specific account or record activity that indicates possible identity theft.

This identity theft prevention and detection and Red Flags Rule Compliance Program is approved by Dr. Sumac Diaz, Owner, as of 05 November 2009, and that the policy is reviewed and approved annually.

It is the policy of CCCW that Allen Diaz, Office Manager, is assigned the responsibility of implementing and maintaining the Red Flags Rules requirements. Furthermore, pursuant to the existing HIPPA Security Rules, appropriate physical, administrative, and technical safeguards will be in place to reasonably safeguard protected health information and sensitive information related to patient identity from intentional or unintentional use or disclosure.

It is the policy of CCCW that its business associates must be contractually bound to protect sensitive patient information to the same degree as set forth in this policy. Business associates who violate their agreement will be dealt with first by an attempt to correct the problem, and if that fails by termination of the agreement and discontinuation of services by the business associate.

It is the policy of CCCW that all members of our workforce have been trained by the June 1,2010, compliance date on the policies and procedures governing compliance with the Red Flags Rule. New employees will receive training on these matters within a reasonable time after their start date. It is the policy of CCCW to provide training should any policy or procedure related to the Red Flags Rule materially change. This training will be provided within a reasonable time after the policy or procedure materially changes. Furthermore, all training will be documented, indicating participants, date and subject matter.

#### **Procedures**

**I. Identify Red Flags.** In the course of caring for patients, CCCW may encounter inconsistent or suspicious documents, information, or activity that may signal identity theft. CCCW identifies the following as potential red flags:

1. A complaint or question from a patient based on the patient’s receipt of:
  1. A bill for another individual;
  2. A bill for a product or service that the patient denies receiving;
  3. A bill from a health care provider that the patient never patronized; or



4. A notice of insurance benefits (or explanation of benefits) for health care services never received.
2. Records showing medical treatment that is inconsistent with a physical examination or with a medical history as reported by the patient.
3. A complaint or question from a patient about the receipt of a collection notice from a bill collector.
4. A patient or health insurer report that coverage for a legitimate hospital stay is denied because insurance benefits have been depleted or a lifetime cap has been reached.
5. A complaint or question from a patient about information added to a credit report by a health care provider or health insurer.
6. Dispute of a bill by a patient who claims to be a victim of any type of identity theft.
7. A patient who has an insurance number but never produces an insurance card or other physical documentation of insurance.
8. A notice or inquiry from an insurance fraud investigator for a private health insurer or a law enforcement agency, including but not limited to a Medicare or Medicaid fraud agency.

**II. Detect Red Flags.** Complete Care Center for Women's practice staff will be alert for discrepancies in documents and patient information suggest risk of identity theft or fraud. CCCW will verify patient identity, address and insurance coverage at the time of patient registration/check-in.

**Procedure:**

1. When a patient calls to request an appointment, the patient will be asked to bring the following at the time of the appointment:
  1. Driver's license or other valid photo ID (school ID, passport, DMV issued ID)
  2. Current health insurance card; and
  3. Utility bills or other correspondence showing current residence if the photo ID does not show the patient's current address. If the patient is a minor, the patient's parent or guardian should bring the information listed above.
2. When the patient arrives for the appointment, the patient will be asked to produce the information listed above. **This requirement may be waived for patients who have visited the within the last 6 months.**
3. If the patient has not completed the registration from within the last 6 months, staff will verify current information on file and, if appropriate, update the information if patient provides one of the documents listed above.
4. Staff should be alert for the possibility of identity theft in the following situations:
  1. The photograph on a driver's license or other photo ID submitted by the patient does not resemble the patient
  2. The patient submit's a driver's license, insurance card, or other identifying information that appears to be altered or forged
  3. Information on one form of identification the patient submitted is inconsistent with information on another form of identification or with information already in the



practice's records.

4. An address or telephone number is discovered to be incorrect, non-existent or fictitious.
5. The patient fails to provide identifying information or documents.
6. The patient's signature does not match a signature in the practice's records.
7. The Social Security Number or other identifying information the patient provided is the same as identifying information in the practice's records provided by another individual, or the Social Security number is invalid.

**III. Respond to Red Flags.** If an employee of CCCW detects fraudulent activity or if a patient claims to be a victim of identity theft, CCCW will respond to and investigate the claim. If the fraudulent activity involves protected health information (PHI) covered under the HIPPA security standards, CCCW will also apply its existing HIOAAA security policies and procedures to the response.

**Procedure:**

If potentially fraudulent activity (a red flag) is detected by an employee of CCCW:

1. The employee should gather all documentation and report the incident to their immediate supervisor.
2. The supervisor will determine whether the activity is fraudulent or authentic.
3. If the activity is determined to be fraudulent, then CCCW should take immediate action.

Actions may include:

1. Cancel the transaction;
2. Notify the affected patient;
3. Notify affected physician(s);
4. Notify appropriate law enforcement; and
5. Assess impact to practice.

If a patient claims to be a victim of identity theft:

1. The patient should be encouraged to file a police report for identity theft if they have not done so already.
2. Patient should be encouraged to complete the ID Theft Affidavit developed by the FTC, along with supporting documentation.
3. CCCW will compare the patient's documentation with personal information in the practice's records.
4. If following the investigation, it appears that the patient has been a victim of identity theft, CCCW will promptly consider what further remedial action/notifications may be needed under the circumstances.
5. The physician will review the affected patient's medical record to confirm whether the documentation was made in the patient's record that resulted in inaccurate information in the record. If inaccuracies due to identity theft exist, a notation should be made in the record to indicate identity theft.
6. The practice medical records staff will determine whether any other records and/or ancillary service providers are linked to inaccurate information. Any additional files containing

