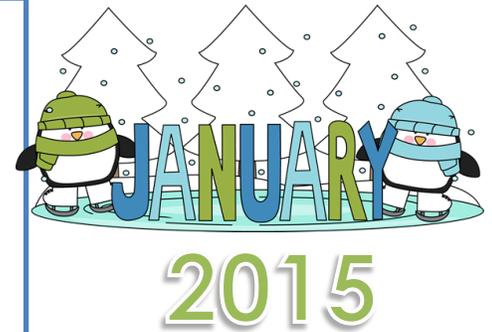




**SAINT LOUIS UNIVERSITY**  
**COMPLIANCE**  
**877-525-KNOW**



## **MEET THE NEW PHYSICIAN BILLING COMPLIANCE TEAM**



### **Annetta Slover, Compliance Education Manager**

Annetta has 20 plus years in medical billing and coding, 15 of those years in a management role. She has a Bachelor's degree in Business Administration and will be graduating in the summer of 2015 with a Master's Degree in Healthcare Administration. She is a member of MGMA, HFMA, HCCA, and AAPC. During her time away from work Annetta has two children, Chelsey (24) and Christopher (20). She lives in Terre Du Lac, MO and enjoys golf and spending time with her family and friends. You can contact Annetta by phone: 977-5888 or email: [slovera@slu.edu](mailto:slovera@slu.edu)



### **Sue Schurwan, Physician Billing Auditor**

Sue comes to us from SSM Health where she was employed for the past 36 years. She obtained her CPC in March 2005 and has 20+ years' of experience in medical coding and auditing for multispecialty groups. She is very excited about her new opportunity in the Compliance Department and joining the SLU community. Outside of work, Sue is married with two children, Annie (24) and Greg (22). They enjoy spending time at their lake house in Sullivan, MO. She especially enjoys cooking and fishing with family and friends (the more the merrier.) She also enjoys watching the St. Louis Cardinals and St. Louis Blues along with college football games. She looks forward to getting to know her new co-workers and meeting the billing/coding staff of Saint Louis University. You can contact Sue by phone: 977-5886 or email: [schurwans@slu.edu](mailto:schurwans@slu.edu)



### **Anne Schwartze, Physician Billing Auditor**

Anne is a recent Alumni of Saint Louis University who graduated with her Bachelors of Science in Health Information Management from the Doisy College of Health Sciences. Previously, she worked for several years at a private orthopedic practice as a Certified Professional Coder where she performed and regulated business office and revenue cycle operations for the practice. Outside of SLU, she enjoys spending time with her family at their lake house in Cuba, MO and participating in outdoor activities such as golf, hunting, and fishing. You can contact Anne by phone: 977-5885 or email: [aschwa22@slu.edu](mailto:aschwa22@slu.edu)

# How Does HIPAA Privacy Regulations Affect FMLA?

The HIPAA Privacy Regulations govern the use and disclosure of protected healthcare information (PHI) of covered entities. While employers are exempt from HIPAA because they are not considered covered entities, they are affected by HIPAA and access to PHI.

HIPAA comes into play when an employer attempts to obtain PHI from an employee's doctor to verify a Family Medical Leave Act (FMLA) claim. For example, FMLA requires that employers permit employees to take leave from work for a serious health condition or to care for family members with a serious health condition. Under FMLA, an employer can require that an employee provide verification of the serious health condition by a doctor. In fact, the Department of Labor has even created an FMLA certification form that many employers use to verify the existence of a serious health condition. The employer typically sends the FMLA certification to the doctor or asks the employee to bring it to the doctor personally.

HIPAA regulations do not hinder the disclosure of PHI for FMLA reasons if the employee has the health care provider complete the medical certification form or document containing the information and the employee presents the form to their employer directly or by mail. The issue of HIPAA is when the employee asks the health care provider to send the form directly to their employer.

FMLA regulations also make it clear that when certification requires a HIPAA covered health care provider to share PHI with an employer, HIPAA Privacy Rule requires a valid HIPAA Authorization. The patient could sign an Authorization during their office visit that would allow for the provider to send an FMLA certification form to the patient's employer. Patient's often don't address this need during their office visit and then make such requests by phone.

If the patient or their employer contacts the provider office indicating that they need a completed FMLA certification form and the patient or employer would like it to be faxed or mailed to the employer, then a SLUCare Authorization for Disclosure must be completed by the patient.

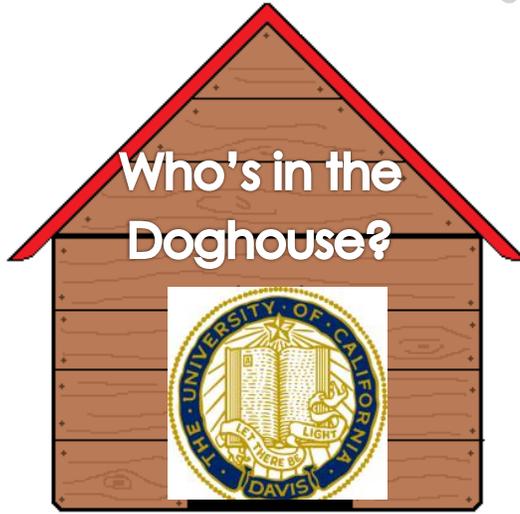
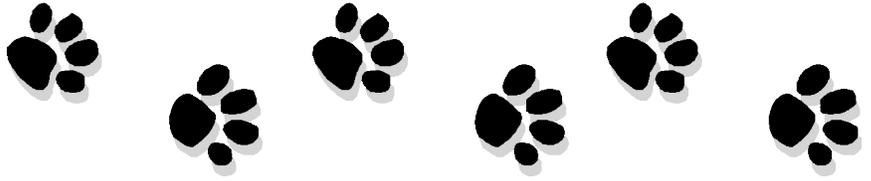
In such cases where it may not be reasonable to have the patient physically return to the provider office, an Authorization form can be sent to the patient via fax to the employee's HR office. The employee can complete and sign the HIPAA Authorization returning it to the SLUCare provider office to allow release of the FMLA certification form by fax directly to the employer. It is preferable to have the Authorization signed in person, however HIPAA does allow for them to be accepted by fax.

Whether transmitting a response for FMLA certification or any other document that includes PHI, steps are required for ensuring that the information is appropriately safeguarded. A cover sheet must be included when sending a fax and reasonable effort must be taken to ensure that the destination is correct.

## HIPAA Awareness & Information Security Awareness Training Available Online

All workforce members who have access to patient information are required to complete these **mandatory** online education sessions. The training is available in the "Compliance Requirements" section of your mySLU homepage and must be completed by February 4, 2015.

Instructions for accessing and completing the course are available on the Compliance website [click here](#). (Note: The video playback speed can be adjusted at the bottom of the Tegrity player.)



This month we bring you a case involving the University of California – Davis in which a researcher at the University is accused of double dipping. The original story can be found [here](#).

UC Davis, without admitting any wrongdoing, has paid nearly \$500,000 to the U.S. Department of Energy and the National Science Foundation after allegations of grant double dipping by one of its researchers. The University has also agreed to expand training for student researchers on proper reporting and other aspects of federal grants.

The grants in question were a 5-year, \$1.1 million

grant from the Department of Energy, and a 1-year, \$100,000 grant from the NSF.

UC Davis argued there was no overlap between the grants, but likely avoided a federal lawsuit by agreeing to a civil settlement.

The Office of Compliance would like to remind SLU's researchers that PI's cannot be funded to do the same work from different sponsors. Double dipping results in high costs to the University, both monetary and otherwise.

If you have questions, please contact any Grant Accountant within the Office of Sponsored Programs at [grants@slu.edu](mailto:grants@slu.edu).



## Tips for Traveling with Technology

MANY PEOPLE WILL BE TRAVELING WITH TECHNOLOGY THIS SEASON. HERE ARE A FEW HELPFUL TIPS TO ASSIST IN SAFELY USING YOUR DEVICES:

- SECURE YOUR LAPTOP OR OTHER MOBILE DEVICE WITH A STRONG [PASSWORD](#), OS SECURITY UPDATES, ANTI-VIRUS, ANTI-SPYWARE AND FIREWALL SOFTWARE.
- BEFORE YOU TRAVEL, BACK UP YOUR FILES.
- DO NOT CONNECT TO ANY UNSECURED WI-FI HOTSPOTS; YOU SHOULD ONLY BE ACCESSING UNIVERSITY/SENSITIVE DATA VIA VPN.
- IF YOU ARE TRAVELLING INTERNATIONALLY, CONTACT THE UNIVERSITY EXPORT CONTROL OFFICER, MICHAEL REEVES, 977-5880, [MREEVES8@SLU.EDU](mailto:MREEVES8@SLU.EDU) TO ENSURE COMPLIANCE WITH FEDERAL REGULATIONS.
- IF YOU HAVE ADDITIONAL QUESTIONS ABOUT SECURING DEVICES, CONTACT [INFOSECURITYTEAM@SLU.EDU](mailto:INFOSECURITYTEAM@SLU.EDU)
- IF AN INCIDENT OCCURS WHILE TRAVELLING, IMMEDIATELY CONTACT [INFOSECURITYTEAM@SLU.EDU](mailto:INFOSECURITYTEAM@SLU.EDU)