



Agent and Broker Privacy Guide

Asuris Northwest Health takes numerous actions to demonstrate its commitment to ensure compliance with HIPAA and other privacy related laws. We value your support of our commitment to protect our members' personal information. This Privacy Guide is designed to outline how this obligation may affect the services you provide to your clients. If you have specific questions regarding information contained in this guide or your Business Associate Agreement, please refer to your *Agent and Broker Manual* or contact your marketing representative.

Key Terms

De-identified Information. Information used alone or in combination with other information that would not identify the subject individual. Certain data elements must be removed before information is considered de-identified.

Minimum Necessary. The least amount of information necessary to achieve the intended purpose of a use or disclosure.

Personal Information. Information, including health, financial and demographic information, created or received by Asuris that identifies the individual or provides a reasonable basis to believe the information could be used to identify the individual. Personal information may be oral or recorded in any form or medium. Personal information includes names, addresses, telephone numbers, member identification numbers and social security numbers. Personal information does NOT include employment records.

Information Safeguards

Our privacy procedures are designed to ensure that we release personal information to the correct individual and that such disclosures are authorized.

Identity and Authority Verification. The following four statements must be true before we can disclose a member's personal information to you:

- You must be the agent of record for the member or the group which includes the member;
- You must be covered by a current business associate agreement with Asuris;
- The disclosure must satisfy the minimum necessary standard; and
- You must be acting as our business associate when obtaining, using and disclosing the personal information.

As a business associate, you perform customer service and other services on our behalf. Therefore, if you need personal information to perform customer service or other contractual obligations and all other requirements above are met, then we can provide you with personal information.

Although you may receive personal information, you cannot use or disclose the personal information in any manner that Asuris, itself, cannot use or disclose the personal information.

We will ask questions to verify the identity and authority of any person who calls us seeking personal information about a member. Should you visit one of our walk-in offices, we will ask you to present your business card and a valid photo ID, such as your driver's license before we disclose any personal information to you. We will also confirm that you are the agent of record for any member you inquire about. Please include your business letterhead, name, signature, and the current date on any written correspondence requesting personal information.

Secured E-mail. We will secure e-mail sent outside of the Asuris network that includes personal information. You will receive an automated e-mail message containing a link to the Tumbleweed web site to view the secured e-mail sent to you by Asuris. E-mail messages (referred to as a 'package' in Tumbleweed) include an expiration date. Any email not retrieved before the expiration date will automatically be deleted.

You should secure any email you send to Asuris containing personal information. Please do not include any personal information in the subject line of an email sent to Asuris unless you know that your own e-mail application can encrypt the e-mail subject line.

Notification of Privacy Incidents. As our business associate, you must immediately notify Asuris of any known or suspected privacy incident.

Assisting Members

We will rely on you as our business associate to request only the minimum necessary personal information to assist a member. This may include claims status, benefit and eligibility information.

To assist a member with an appeal you must first provide Asuris with a copy of a HIPAA-compliant authorization signed by the member. We cannot disclose any information about the appeal to you without an authorization.

If you are the agent of record on an individual policy, you may:

- correct spelling of names
- correct date of birth
- correct gender
- correct SSN
- correct or update billing address/phone number
- change mailing address/phone number
- cancel an electronic funds transfer (EFT)
- request reinstatement
- request a hold be placed on the policy
- change billing cycles
- request corrections on payment allocations
- change or correct a member's PCP

- request ID cards
- obtain information on health factor
- cancel an application that had not been activated
- request a copy of health questionnaire
- request a copy of the member's application

You **CANNOT**:

- change electronic funds transfer (EFT) info
- request an appeal (unless an authorization is on file)
- change the effective date
- request to add a newborn
- request a benefit change
- cancel a policy or cancel any dependents off of the policy

Assisting Group Health Plans

We may disclose personal information to you to fulfill your obligations under the business associate agreement.

You Can Receive:

- Group Numbers
- Group Account Balance/Premium balance
- Group Premium Invoice
- Verification of receipt or status of claim
- Paid to date status for group
- Enrollment Forms
- Medical questionnaires
- Benefit Information
- Confirmation of eligibility (basic plan and participant information)
- Requests for forms and plan summaries
- Information on Commissions and Provider Networks
- Product Information
- Rating Information

You Cannot Receive:

- Diagnosis Codes
- Procedure Codes
- Reasons for denied or pended claims
- Specific types or names of medication a member is taking
- Any reports with individually identifiable information

The information you may further disclose to the group administrator depends on whether the group is self funded or fully insured. You cannot disclose any information to the group administrator that Asuris itself cannot disclose to the group administrator.

Self funded groups may receive personal information of the members enrolled under the group health plan because self funded group health plans must be compliant with HIPAA. You may disclose personal information to a self funded group.

On the other hand, fully insured groups can choose to be compliant. Until a fully insured group certifies to full compliance under HIPAA, it cannot receive personal information of its members. You must first provide Asuris with a copy of the fully insured group's certification to HIPAA compliance before you can disclose personal information to the group administrator except as shown below.

You may disclose the following information to both self funded and fully insured groups:

- de-identified information (with no PHI identifiers),
- summary health information for the purpose of bidding or modifying the health plan, and
- enrollment/disenrollment information.

Please contact your marketing representative if a group health plan requests an audit of its own claims experience.

For More Information

Contact your Marketing Representative. You may also find additional information, including our Notice of Privacy Practices on our public external website: <http://www.asuris.com>.