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As members of “the Connection,” each month you will receive our electronic newsletter that will have regular columns written by Industry professionals and members of our Advisory Board, links to other valuable resources, and other industry news. If you prefer to obtain the newsletter from the website rather than in your email, please email linda@medicalcourierconnection.com and we will remove you from the list.

A note from the Editor

This morning I heard a Colorado DOT report that the top 3 leading causes of motor vehicle fatalities to the public were narrowed to just 3 categories: speed, not wearing a seat belt, and impaired driving. In fact, out of approximately 500 car fatalities from 2013, those three categories accounted for 96%!

As we plan our speaker line up for this year’s Summit, in addition to the topics we cover each year, we’re focusing on all of the various compliances to consider (OSHA, HIPAA, TSA, IATA, DOT, HazMat, USPS, FEMA, Homeland Security, The Joint Commission...does the list ever end? Do all of these even have “compliance” issues you need to be concerned about?...), and it occurred to me that the very basic compliances that we should be concerned about every day, rarely crosses our minds.

I often hear from courier companies with employees that they don’t have a Fleet Safety policy in place, and if they do, it focuses on things like, “Don’t drink and drive,” and “don’t (get caught) speeding! because our insurance will cut you off if you have more than __ moving violations.”

I also hear from courier companies who use IC’s who say that they “can’t control” them. No you can’t, but you can have a *contract* in place that outlines your expectations. For more on this, see page 3.

As you read our articles this month, consider how the people whom you pay, whether employee or IC, affects your company reputation. If they are not in compliance with even the basics of driver safety, your company reputation is at risk. After all, they represent you to the community you serve!

Plan on joining us!

Medical Transportation Summit

July 28-30, 2015

We have an *incredible* line up planned at an amazing price! As members of “The Connection,” or current clients of Integrity Medical Courier Training, your registration is just \$595 for 3-days of great content and networking!

We’ve selected a central location to keep travel costs low, and secured a great all-suite hotel rate of just \$162/night that includes free WiFi throughout the hotel & free parking.

Thank our sponsor!

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Have you assessed your risk?

Medical identity theft took center stage following [the Anthem Insurance data breach](#) that came to light earlier this month. It single-handedly exposed the Social Security and medical information for up to 80 million Anthem customers!

Why steal medical information?

A thief with a name, Social Security number and medical insurance number has a lot of opportunities to make money, get medical treatment, or obtain prescription drugs on your dime, which can mess up your health records and deny future important coverage.

Overall, medical fraud in the U.S. nets criminals anywhere from \$80 billion to \$230 billion a year. In fact, medical identity is much more profitable for thieves than non-medical identity theft. Most people don't even realize someone is using their info until they're denied for a procedure or get a collection notice .

How the healthcare industry fails

- They all use different systems that may or may not be compatible.
- Communication is slow and incomplete.
- The change from physical records to electronic records was fast and messy, and there was no chance to really test the security of the systems.
- Medical organizations have never needed to be security conscious before. A locked filing cabinet and a warning not to talk about confidential patient information over the phone or through email were about as far as they needed to go. That doesn't just mean computer security is lacking, but many medical employees aren't trained to know basic security concepts.

Add all of this up and you can see why hackers who are used to tackling long-standing, proven high-end banking and e-commerce security are having a field day.¹

On June 4, 2009, Parkview (Indiana & Ohio) employees, with notice that a retiring physician was not at home, left 71 cardboard boxes of medical records unattended and accessible to unauthorized persons on the driveway of the physician's home, within 20 feet of the public road and a short distance away from a heavily trafficked public shopping venue. (This mistake cost Parkview \$800,000.00!)

As a *covered entity* under the HIPAA Privacy Rule, Parkview must appropriately and reasonably safeguard all protected health information in its possession, from the time it is acquired through its disposition.

"All too often we receive complaints of records being discarded or transferred in a manner that puts patient information at risk," said Christina Heide, acting deputy director of health information privacy at OCR. "It is imperative that HIPAA *covered entities* and their business associates protect patient information during its transfer and disposal."²

¹Adapted from: <http://www.komando.com/tips/271579/how-the-health-care-industry-is-failing-you-and-what-you-can-do/all>, February 11, 2015, Kim Komando

²Source: <http://www.hhs.gov/news/press/2014pres/06/20140623a.html>



**LORI KLEIMAN,
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Everyone's Nightmare! HR and IC Legal Compliance

HR Legal Compliance

- 1) **Review your policies.** Do you have a company handbook? Are you enforcing the rules that are stated? Do your employees sign off that they have received and will abide by *your company* policies? Do you review your policies periodically to ensure that they are still important to you and the success of your business?
- 2) **Anti-harassment.** The courts continue to uphold the idea that employees need to be trained on what is, and is not, harassment. Harassment goes both ways but understand that if someone is inappropriate and you do nothing, you could be liable. You should have a written policy that clearly defines who to report harassment to, and ensures that there will be no retaliation for valid reports.
- 3) **Technology.** Do you have a policy about smart phones and tablets? Are you restricting web sites that are inappropriate in the workplace? Do you have a way to store and search on email communication that is compliant with the electronic communication requirements?
- 4) **Fair Labor Standards Act.** When was the last time you reviewed the exempt status of positions, and overtime policies? For those in multiple locations, are all locations paying minimum wage properly?
- 5) **New laws for 2015.** Many new local and state laws went into effect in 2015. Make sure you know which will impact your business.

These are just a few areas to consider in your HR function. For a full discussion of HR You Can Use – join Lori at the annual conference this summer!

IC Legal Compliance

According to the IRS, there is no “magic” or set number of factors that “makes” the worker an employee or an independent contractor, and no one factor stands alone in making this determination. Also, factors which are relevant in one situation may not be relevant in another. The keys are to look at the entire relationship, consider the degree or extent of the right to direct and control, and finally, to document each of the factors used in coming up with the determination. Facts that provide evidence of the degree of control and independence fall into three categories: Behavioral, Financial, and Type of Relationship. (<http://www.irs.gov/pub/irs-pdf/p1779.pdf>)

Do you have a document that you can attach to a contract that shows how/why you determined that an IC is an IC and not an employee? Pages 2, 3, and 4 of IRS Form SS-8 are an excellent resource to ensure you've thought of everything. (<http://www.irs.gov/pub/irs-pdf/fss8.pdf>).

Things that fall outside of the basic determination factors outlined by the IRS, such as your position on presentation, documentation of delivery, harassment, use of your company computers and server access, training or compliance with best practice standards and the law, etc., can and should be defined within your contract, and should carry the exact same language in every IC contract.



Join our group on LinkedIn
“Medical Courier Connection”
Connect with us on Twitter or Facebook at
“MedCourierCnx”

Join us for our free HIPAA webinar with Keith Carrington on Thursday, February 26th at 2pm Eastern time. Then on March 11th, also at 2pm Eastern, Lori Kleiman will join us for a free webinar on Performance Management! Please email me or Ken if you plan on attending one or both webinars and we'll send you the link!

Benefits of Membership

- Inclusion in the Business Directory that we make available to Healthcare Professionals seeking medical-specialty courier services.
- Connecting you through Exposure at Healthcare Industry-related conferences we attend and ads we place in medical journals
 - Free monthly live webinars with Industry professionals & Advisory Board members
 - Free monthly e-newsletter (this very thing! ☺)
 - Access to Free publications, past webinars and previous Medical Transportation Summit presentations (2013 is posted and ready to view!) Just email Linda for access
- Networking - don't miss out on this valuable perk! Come to a future Medical Transportation Summit or join our LinkedIn Group (Medical Courier Connection)
- Participating in Charity events? Let us know! The Medical Courier Connection would like to offer support, representation and/or sponsorship!
- Access to our Advisory Board! Do you have an important bid coming up and have questions about processes or have a client whose position you just can't seem to understand? Give us a call or connect with a member of our Advisory Board!
 - Have ideas for other incentives? Let Linda know!

Please remember, when contacting anyone on the Advisory Board directly, please remember to begin by telling them you are a Member of the Medical Courier Connection. Thank you!

Meet our Advisory Board

who have made a one-year commitment to provide regular articles, at least one live webinar, and to be available to our Members to answer Industry-related questions



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