College of Nursing
UNIVERSITY OF THE PHILIPPINES MANILA
The Health Sciences Center

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N-101 Nursing Informatics
First Semester, Academic Year 2023-2024

STUDY GUIDE
MODULE 6
Policies Related to Nursing Informatics
Developed by: AC Banayat

Introduction

This module aims to provide an understanding and awareness of the policies and laws associated with the use of information and communication technology in the healthcare setting.

As a general rule, the law recognizes the need to protect and uphold the privacy of health information and maintain confidentiality of patient information but fact remains that existing policies should also address issues such as collection, storage and utilization of of electronically derived and/or stored information, the use of health information for non health purposes (i.e. se of social media) possible access to health information by non health professionals (i.e. access to health information goes beyond the hospital setting because of the use of mobile devices). This module will also focus on challenges and changes in the work practice brought about by the current information technology.

Learning Outcomes

1. Describe the purpose of select legislation on the use of informatics technology in practice.

Explore how prevailing policies on the use of informatics technology in healthcare impact security and privacy.

Topic 1: Laws and/or policies to ensure data privacy and patient confidentiality in the International and local setting

One of the core competencies the Institute of Medicine (IOM,2003) proposed, that all health clinicians should have in order to meet the demands of the healthcare system in the 21st century was utilization of informatics. Current researches have shown that use of information technology is rapidly increasing, hence the need for policies, guidelines, laws to ensure that healthcare information is utilized appropriately and patients are protected.

But has technological advancement outpaced the policies and practice regulation governing privacy of health information? Here are some current local and international policies to guide you in the use and in teaching informatics technology in healthcare.

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A. Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule of 1996

Because of the increase use of information technology in the exchange of patient health information the need to standardize the process became a necessary factor. In addition to this, the issue of protecting the patient and patient data confidentiality was questioned hence the birth of this federal law.

The Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule of 1996 is important because:

"A federal privacy law that sets a baseline protection for certain identifiable health information."

"Privacy rule generally permits, but does not require, covered health care providers to give patients the choice as to whether their health information may be disclosed to others for certain key purposes which include treatment, payment and healthcare procedures"

With the HIPAA, the US Congress mandated the establishment of Federal standards to ensure the privacy of health information which could be individually identified. It provides clear standards for the protection of personal health information (US Office of the Civil Rights). For further readings on the history of HIPAA development, please click this link.

B. HITECH (Health Information Technology for Economic and Clinical Health) Act of 2009

The Health Information Technology for Economic and Clinical Health (HITECH) Act, enacted as part of the American Recovery and Reinvestment Act of 2009, was signed into law on February 17, 2009, to promote the adoption and meaningful use of health information technology, specifically the use of electronic health records. Subtitle D of the HITECH Act addresses the privacy and security concerns associated with the electronic transmission of health information, in part, through several provisions that strengthen the civil and criminal enforcement of the HIPAA rules (Health Insurance Portability and ac countability Act).

Additional Resources: Resources 1 and Resource 2

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C. Philippine Republic Act 10173: Data Privacy Act of 2012
This law protects individuals from unauthorized processing of personal information that is (1) private, not publicly available; and (2) identifiable, where the identity of the individual is apparent either through direct attribution or when put together with other available information.

"Protection of the fundamental human right of privacy, of communication while ensuring free flow of information to promote innovation and growth"
"Right to information Privacy" - If we deprive an individual the ability to decide what information he could share and to whom, it is as if we denied him of hiss personhood."
Additional Resources: Resources 1 and Resource 2

D. The Magna Carta of Patients Bill of Rights and Obligation Act of 2017
Please refer to this Resource.

E. "Philippine eHealth Systems and Services Act" - National Telehealth Policy

"It Is the intent of the Legislature to institutionalize a system of providing wide access and quality health care services through electronic means using Information and Communication Technologies (ICT) or eHealth resulting in improved health outcomes for every Filipino."

Please refer to this Resource.

F. Health Privacy Code of Joint Administrative Order No. 2016-0002, otherwise known as "Privacy Guidelines for the Implementation of the Philippine Health Information Exchange" Code.

This Code prescribes the procedures and guidelines that ensures the protection of the privacy of a patient.

Please refer to this Resource.

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Topic 2: Social Media and Nursing Practice

Today, we live in a world that is so dependent on technology where almost every-one enjoys easy access to information they want to get hold of. Use of social media as a way of communicating has also become a common practice. But with all of these comes responsibility. We in the healthcare profession continue to face the challenge of how best to accept this new communication and information platforms while try-ing to protect the patient and the confidentiality of patient data. Here are some re-sources to guide you as future health professionals in navigating through ethical use of information technology.

A. Compliance to Privacy and security Issues
According to the Hippocratic Oath " Whatever I see or hear, whether professionally or privately which ought not to be divulged I will keep secret and tell no one."
Here's are some resources on:

- Protecting patients from harm, including respect for their rights to privacy
- Vulnerability of Private Health Information

B. Social media and Nursing
We all know that Social media is a powerful tool that could reach millions in the click of a button. The same way when used in the right platform it could open a lot opportunities. But we should always remember that what we post becomes public and no amount of security settings could guarantee that only those whom you want to view it would do so.

Use of Social media in Nursing
• Social networking Principles vs. nursing principles for social networking
• "Information on social media can take a life of its own-where inaccuracies can be-come fact." (ANA, 2020)
• Social media, palliative care, and the Coronavirus (COVID-19) pandemic
    ▪ Resource 1
    ▪ Resource 2
    ▪ Resource 3

Learning Activities
1. Read the recommended content discussed above and refer to the linked resources.
2. Work with your group in updating and improving your group project.
3. Participate in the Discussion Forum.