

# TROJANTODAY

VOLUME 20 ISSUE 08 **AUGUST 2018**

A NEWSLETTER FOR CLIENTS OF TROJAN PROFESSIONAL SERVICES, INC.

## INTRODUCTION TO PROTECTED IDENTIFIABLE INFORMATION

by Debi Carr

**Protected Identifiable Information**, or **PII** for short, is any information that could be used to identify an individual. Forty-eight states now have privacy laws that require all businesses to protect a consumer's Protected Identifiable Information. This is already established in healthcare, as we are required to safeguard patients' Protected Health Information or PHI. Any information, or combination of information, that could possibly be used to identify individuals should be protected.

Healthcare entities have been required to secure patient PHI since 1996 under the Health Insurance Portability and Accountability Act. However, considering recent data breaches such as those with Equifax and Uber, forty-eight states and three territories have enacted privacy laws meant to protect general consumers; and the other two states can't be far behind.

continued on page 2 •••▶

What is considered Protected Identifiable Information? Any information that could identify or locate an individual. In most states, this is considered the First Name or Initial in combination with any of the following:

- Address
- Phone Number
- SSN
- Account Numbers
- Email Address
- DOB
- Vehicle Information
- Digital Signature
- Any Medical Records
- Fingerprints
- Any Physical Image
- Retina Scans
- Iris Scans
- Etc.

This trend in data privacy protection brings a new level of vulnerability to medical practices. Protocol states that in the event of a theft or data breach that compromises PHI, the practice must report to the Office of Civil Rights. The fines for failing to safeguard this sensitive information can be up to \$50,000 per record. Now, because most medical practices are also considered by states to be businesses, sensitive information is also treated as PII. This means the state government can fine and, in some cases, impose jail time when an executive (Doctor) fails to safeguard and report a data breach in a timely manner.

To complicate the issue further, several states strive to protect their citizens beyond state lines. For example, if you are a New York resident but you visit a business or medical practice in Florida that experiences a data breach, said practice is required to notify you in accordance with both Florida laws and New York laws.

Practices that have patients that primarily reside within the European Union may be subject to the newly enacted General Data Protection Requirements or GDPR. This requires that any business providing services to EU residents, including healthcare providers, will insure that adequate security controls are in place. This includes data encryption at rest and in transit, backups, redundancy, and intrusion detection mechanisms to ensure data is not compromised in any way.

Cyber-attacks are quickly becoming the new battleground, and risks will only increase as new technology is introduced. As a result, businesses, including healthcare entities, must implement a comprehensive security plan. This requires a well-educated team, recognized security controls, and continuous system monitoring and training. The consequences of failing to protect PHI and PII could be too great to recover from.



**Debi Carr** is the CEO of D.K. Carr and Associates, LLC, a Security and HIPAA Consulting Firm. She has over 23 years of dental practice management experience and over 30 years of experience in technology and security. She assists dentists in obtaining and maintaining HIPAA compliance including performing annual risk analysis and team security awareness training. She also leads a team of security professionals that respond to cyber-attacks.

**FMI:** 844-352-2771 or [www.dk carr.com](http://www.dk carr.com).



## Ask the Consultant

**Q:** We were told by a person in the medical field that it is a California state law that you are not to collect money from a patient who has dental insurance until the insurance has been billed and paid. True or not?

**A:** There is no CA law prohibiting you from collecting a copay at the same time you are submitting a bill to the insurance company. You just must be sure to refund any overpayment (if there is one) as soon as you know it.

**Q:** We have a patient who maxed out her insurance, and MetLife PPO is stating that we must honor the MetLife fee for the service that was not covered. Insurance is saying they are allowed to dictate how much we can charge so therefore we can't charge her our usual and customary fee for the procedure that they did not pay for. Doesn't the non-covered services bill passed in 2010 apply? BILL NO: AB 2275?

**A:** AB 2275 established a California law that says that to the extent an insurance company doesn't provide any coverage at all for a given procedure, you can bill your normal UCR. However, if they do provide coverage for the procedure but patient is maxed out on insurance coverage for that year, you are bound by their fee schedule.

**Q:** We sent a patient to collections after insurance did not pay the claim for services. Two years later, patient wants copy of FMX and still refuses to pay balance sent to collections. Do we have to provide her a copy of x-rays never paid to us by patient or insurance company?

**A:** In response to your question regarding the release of patient records to a patient who owes you money, please look at New Jersey Administrative Code 13:30-8.7 e, which gives you a limited right to require payment as a condition of releasing records to the patient.

---

Responses provided by **Patrick Wood**, who is a member of the law firm Wood & Delgado and has been representing dentists for 34 years.

---

# You have questions? We have answers!

**Ask the Consultant** provides a direct line to experts who offer advice on how to design an effective management program for your practice.

They can help you improve your image, create a more patient-centric workflow, and keep your chairs full by providing best practices and up-to-date information on how to run a successful dental practice.

Ask your question today:

[www.trojanonline.com/  
services/ask-the-consultant](http://www.trojanonline.com/services/ask-the-consultant)

*Software Support is ready to  
hear from you.*

800.451-9723 ext. 1

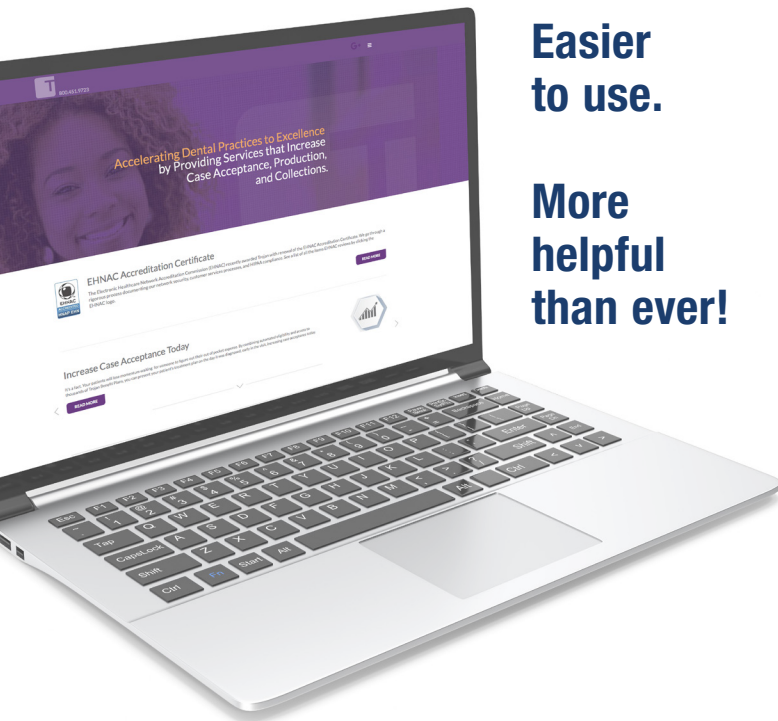


TROJAN PROFESSIONAL SERVICES



# CHECK IT OUT!

Trojanonline.com has a new look!



**Easier  
to use.**

**More  
helpful  
than ever!**

Service  
Savvy



**Save Time. Send Electronically.**

## **Trojan's Collection Services Department**

Trojan's Collection Services clients have sent transactions by phone, fax, and mail for many years. Did you know you can send your transactions electronically through Trojan's Express Collect®? Express Collect® allows our Collection Services clients to send new debts, payment notifications, balance adjustments, and more. Simply enter the information into Express Collect® and hit SEND. It's that simple! Plus, there is no additional charge.

**For more information, please contact  
Trojan's Collection Services Department  
at 800-248-2964.**

**TROJAN TRAINERS  
are here to help you!**

**800-451-9723  
ext. 5**



## Quote-Worthy

“Historically, privacy was almost implicit, because it was hard to find and gather information. But in the digital world, whether it's digital cameras or satellites or just what you click on, we need to have more explicit rules—not just for governments but for private companies.”

— Bill Gates

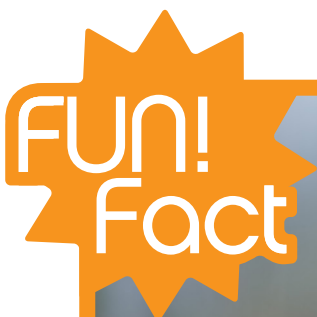


## What Clients Say



*"Since we began using Dentifi, our patients' benefits are verified 10-14 days in advance. This has allowed us the advanced notice to be sure to update necessary information regarding patient benefits prior to submitting claims. Correctness and prompt claim processing and payments have been the result."*

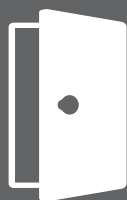
— Penny H., Office Manager



In the Middle ages, people believed that **dogs' teeth** boiled in wine made an excellent **mouth rinse** for tooth decay.

**Boar, badger and horse hair** were used for **toothbrush bristles** but were later found to be abrasive and harsh.





## TROJAN Closings

**SEPTEMBER 3, 2018**

Labor Day

## Write for TROJAN TODAY

Share your dental and front office experience with others! Articles should be no more than 750 words. Include a short bio and recent photo.

**Submit to:** [nikkim@trojanonline.com](mailto:nikkim@trojanonline.com)

*Trojan encourages a wide variety of contributors and subjects to its newsletter.*



## Front Office Rocks

*Presented by Laura Hatch*

**SEPTEMBER 21, 2018**

Kansas City, MO

[Click here](http://frontofficerocks.com) for more information or visit: **frontofficerocks.com**



## Seminars

## Business Leadership Conference

*LCP Dental Team Coaching*

**SEPTEMBER 27-29, 2018**

Tucson, AZ

[Click here](#) for more information.

## Insurance Extravaganza

*Presented by Christine Taxin*

**OCTOBER 4-5, 2018**

Las Vegas, NV

[Click here](#) for more information.



<http://bit.ly/FBTrojan>



<http://bit.ly/TrojanYT>



<http://bit.ly/TPSLinkedIn>



<http://bit.ly/TrojanGP>



*Accelerating dental practices to excellence by providing services that increase case acceptance, production, and collections.*

TROJAN PROFESSIONAL SERVICES

**TROJAN TODAY** PHONE: 1-800-451-9723 • E-MAIL: [nikkim@trojanonline.com](mailto:nikkim@trojanonline.com) • [www.trojanonline.com](http://www.trojanonline.com) • Published monthly by Trojan Professional Services, Inc., P.O. Box 1270, Los Alamitos, CA 90720 and distributed to members of the dental profession. Statements of opinion in **TROJAN TODAY** do not necessarily reflect the opinions of Trojan Professional Services, Inc. or the Editor. Neither Trojan Professional Services, Inc., Trojan Today, its Editor or staff assume any liability in connection with the use or implementation of any policies or procedures discussed in this newsletter. Trojan Today is distributed as a newsletter and with the understanding that neither the publisher, the Editor or the staff is rendering professional or legal services of any kind. If legal or professional advice of any other kind is required in connection with topics discussed in this newsletter, competent advice should be sought.

**PRESIDENT:** Ingrid Kidd Goldfarb • **EDITOR:** Romalyn Tilghman • **PUBLICATION COORDINATION:** Nikki Myers • **GRAPHIC DESIGN & PRODUCTION:** Moller Creative Group

Copyright ©2018, Trojan Professional Services, Inc. All rights reserved. No part of this publication may be reproduced or transmitted in any form without permission.