

**American Institute of Healthcare Compliance
Release of Information Training**

**Abbreviations,
Terms, Acronyms**

Definition as it Relates to Release of Information and HIPAA

42 CFR Part 2	The 42 CFR Part 2 regulations (Part 2) serve to protect patient records created by federally assisted programs for the treatment of substance use disorders (SUD).
ACO	Accountable Care Organization
Advance Healthcare Directive (AHCD)	A legal document combining aspects of a Living Will and a Healthcare POA.
AI	Artificial Intelligence. It is the use of machine learning (ML), natural language processing (NLP), deep learning (DL), and other AI-enabled tools to assist and, ideally, improve the patient experience, including diagnosis, treatment, and outcomes. AI can be used autonomously (performing tasks without human intervention) or be designed to enhance human capabilities (sometimes referred to as augmented intelligence).
AI / ML	Artificial Intelligence/Machine Learning
AI RMF	Artificial Intelligence Risk Management Framework provided by NIST
AIRC	Artificial Intelligence Resource Center launched by NIST
Augmented Intelligence	An alternative conceptualization of AI advanced by a growing number of innovators and embraced by physician organizations to underscore that such systems are designed to aid humans in clinical decision-making, implementation, and administration to help scale health care.
Authorization	As it relates to HIPAA, it is a detailed document in which specific uses and disclosures of protected health are explained in full. Authorization from a patient means the patient is giving permission to disclose PHI for reasons other than treatment, payment or health care operations. An authorization must include specific elements.
CERT	Comprehensive Error Rate Testing. CERTS are contractors with CMS performing various types of audits and may request medical record information for such audits.
CFPB	Consumer Financial Protection Bureau
CFR	Code of Federal Regulations. It is the codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government.
CMP	Civil Monetary Penalty. The term civil money penalty (CMP) refers to a fine imposed on entities that violate certain laws and regulations.
CMS	Centers for Medicare and Medicaid Services
Comorbidity	Having two illnesses at the same time (same patient). It can also be referred to as co-occurring disorders.
Court Order	Issued by a judge after one or both parties have made a motion for some kind of action to be taken (e.g., the releasing of psychiatric records). Court orders alone are almost always sufficient to compel the disclosure of information, even if the patient does not wish to allow it. However, some court orders might not be sufficient, for example, if a proper hearing has not taken place regarding the motion. To refuse to comply with a court order carries the very real possibility of being held in contempt of court.
Cures	"Cures" or "Cures Act" is the abbreviation for the 21st Century Cures Act enacted in December 2016.

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Data-Driven	AI that reaches conclusions based on having seen a large number of examples of question-and-answer pairs, which is used as training.
Deep Learning (DL)	Deep learning as it relates to artificial intelligence. It is the ability for machines to autonomously mimic human thought patterns through artificial neural networks designed to work similarly to how the human brain works, using the concepts of neurons and synapses.
Denial of Access	Under certain limited circumstances, a covered entity may deny an individual's request for access to all or a portion of the PHI requested. In some of these circumstances, an individual has a right to have the denial reviewed by a licensed health care professional designated by the covered entity who did not participate in the original decision to deny.
Designated Record Set	As it relates to right of access, it is defined at 45 CFR 164.501 as a group of records maintained by or for a covered entity that comprises the: medical records and billing records about individuals maintained by or for a covered health care provider; enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan; or other records that are used, in whole or in part, by or for the covered entity to make decisions about individuals. This last category includes records that are used to make decisions about any individuals, whether or not the records have been used to make a decision about the particular individual requesting access.
Directed Exchange	A directed exchange enables health care providers to securely send/receive patient information for things such as laboratory orders and results, patient referrals, or discharge summaries (to name a few) via the internet to/from a known and trusted recipient.
Disclosure	Disclosure is the release, transfer, divulging of or providing access to PHI to an outside entity. Use is for sharing, employment, application, utilization, examination or analysis of individually identifiable health information within an entity that maintains such information.
DOJ	Department of Justice
DSM	Diagnostic and Statistical Manual of Mental Disorders. It serves as the diagnostic and statistical manual of mental illnesses and is a professional reference book on mental health and brain-related conditions used by the American Psychiatric Association. DSM-5-TR was published in 2022.
EEOC	Equal Employment Opportunity Commission
EHI	Electronic Health Information
EHR	Electronic Health Record
ERPO	Extreme Risk Protection Order. It is basically a court order that temporarily prevents a person in crisis, who poses a danger to themselves or others, from accessing firearms.
FDA	Food and Drug Administration
Federally Assisted	As defined at § 2.12 (b), it encompasses a broad set of activities, including management by a federal office or agency, receipt of any federal funding, or registration to dispense controlled substances related to the treatment of SUDs. Many SUD treatment programs are federally assisted.

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FERPA	The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that protects the privacy of student education records. FERPA applies to most public and private postsecondary institutions and, thus, to the records on students at the campus health clinics of such institutions. These records will be either education records or treatment records under FERPA, both of which are excluded from coverage under the HIPAA Privacy Rule, even if the school is a HIPAA covered entity.
FTC	Federal Trade Commission
GDPR	General Data Protection Regulation. A data protection law that covers Europe.
Grand Jury Subpoena	A subpoena issued in a grand jury proceeding. The provider should strictly comply with its terms. Grand jury proceedings are confidential, so HIPAA does not require additional protections. (45 CFR § 164.512(f)(1)(ii)). The subpoena itself will generally state if it is issued by a grand jury.
Guardian Ad Litem (GAL)	A person appointed by a court to look after and protect the interests of someone who is unable to take care of themselves, typically a minor or someone who is determined to be legally incompetent. Guardians ad litem regulated by state and local laws.
Health Care Proxy	A document through which the patient legally appoints another individual to speak and make decisions on his/her behalf in the event of becoming incapacitated. If the physician determines that the patient is incapacitated, then the Health Care Proxy goes into effect. “Power of Attorney” and “Health Care Proxy” get intermingled due to the reference “Medical Power of Attorney.” Both of the terms are correct and can be used interchangeably. However, a Health Care Proxy is just one of several types of Powers of Attorney.
Healthcare Power of Attorney (HCPA)	A Healthcare Power of Attorney allows the patient to appoint an agent to make medical or other health-related decisions when the patient is unable to do so. Healthcare POAs can: Choose doctors or other care providers; Decide on living arrangements should you need long-term care (like choosing assisted living, memory care or rehab facilities); Hire caregivers for basic needs like food and bathing; Make all decisions regarding medical care, including surgeries, tests, medication and more.
HHS	Health and Human Services. The Office for Civil Rights (OCR) is under the U.S. Department of Health and Human Services (HHS). You will see reference to OCR as “HHS” or HHS referred to as DHHS.
HIE	Health Information Exchange
HIN	Health Information Network
HIO	Health Information Organization
HIPAA	Health Insurance Portability and Accountability Act. Also known as Public Law 104-191.
HITECH Act	Health Information Technology for Economic and Clinical Health Act
Holds itself out	“Holds itself out” means any activity that would lead one to reasonably conclude that the individual or entity provides substance use disorder diagnosis, treatment, or referral for treatment.

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IIHI	Individually Identifiable Health Information is any demographic information about an individual that has the possibility of identifying that individual and is considered PHI under HIPAA.
Information Blocking	A provision in the 21st Century Cures Act intended to minimize the interference of the ability of authorized persons to access, exchange, or use Electronic Health Information.
Integrated Care Setting	Integrated care blends the expertise of mental health, substance use and primary care clinicians to create a team-based treatment approach. “Collaborative Care” and “Health Homes” are terms used to describe “integrated care.”
IT	Information Technology. It is the study or use of systems (especially computers and telecommunications) for storing, retrieving, and sending information.
Judicial Subpoena	Judicial subpoenas are any court order to produce records, other than a grand jury subpoena, and are governed by the Act. 12 U.S.C. § 3407.
Lawful Holder	An individual or entity who has received patient identifying information as the result of a part 2-compliant consent or as otherwise permitted under the part 2 statute, regulations, or guidance.
MAC	Medicare Administrator Contractor. MACs are contractors with CMS adjudicating claims and may perform reviews and request medical records to conduct such reviews.
MAT	Medication-Assisted Treatment
MDE	Major Depressive Episode
Minimum Necessary	The minimum necessary standard requires covered entities to evaluate their practices and enhance safeguards as needed to limit unnecessary or inappropriate access to and disclosure of PHI. The Privacy Rule’s requirements for minimum necessary are designed to be sufficiently flexible to accommodate the various circumstances of any covered entity. Example: don’t send the entire chart when only one date of service was requested.
Machine Learning (ML)	Machine learning as it relates to artificial intelligence. Machine learning is AI with an algorithm that learns and changes without being programmed when exposed to new data. Such knowledge can either be static (data sources that do not change frequently over time) or continuous (continually learning, accumulating, and building on previously learned knowledge in part by generating new algorithms, which may be unknown to the original designer or trainer).
Natural Language Processing (NLP)	Natural language processing as it relates to artificial intelligence. Algorithms used to extract and understand human language and process it into meaning for a specified area of interest or end-user definition. For example, chatbots are computer programs designed to simulate a conversation with human users by communicating through text chats, voice commands, or both, a commonly used interface for computer programs that include AI capabilities.
NIST	National Institute of Standards and Technology
NPP or NOPP	Notice of Privacy Practices. A HIPAA requirement with the intent to inform patients how your organization uses his/her privacy information.
NSDUH	National Survey on Drug Use and Health. It shows how people living in America reported their experience with mental health conditions, substance use, and the pursuit of treatment.

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OCR	Office for Civil Rights. OCR is the government's HIPAA enforcement agency and is part of the Department of Health and Human Services (DHHS).
ONC	Office of the National Coordinator for Health Information Technology. ONC is the principal federal entity charged with the coordination of nationwide efforts to implement and use the most advanced health information technology and the electronic exchange of health information. Website: www.HealthIT.gov
Order Statutes	The "order" statutes provide for ongoing prohibitions of firearms possession and acquisition, and a basis for entering dangerous individuals into the background check systems as ineligible to possess firearms.
Personal Representatives	As defined by HIPAA, those persons who have authority, under applicable law, to make health care decisions for a patient. HIPAA provides a personal representative of a patient with the same rights to access health information as the patient, including the right to request a complete medical record containing mental health information.
PHI	Protected Health Information, which includes electronic protected health information (ePHI).
Power of Attorney (POA)	<u>General Power of Attorney</u> gives an agent very general powers to act on the patient's behalf. It is limited and does not authorize this person to make medical decisions or obtain patient PHI. <u>Financial POA</u> designates an agent the authority to make financial decisions and act on the patient's behalf. This type of POA can be broad or very specific. It's another title for General POA and could typically grant all the same actions as the General POA. <u>Durable POA</u> is just a different type of a Financial POA. Both give legal rights to an agent so he or she can step in to deal with any non-medically-related issues or affairs. <u>Special POA</u> allows the patient to specify what powers are being authorized for the agent to exercise. Special POAs are commonly used when the patient can't take care of his/her own affairs because of health-related issues or other commitments. See "HCPA" for the definition of Healthcare POA.
Program	A "program" (defined at § 2.11) is an individual, entity (other than a general medical facility), or an identified unit in a general medical facility, that "holds itself out" as providing and provides diagnosis, treatment, or referral for treatment for a SUD. Medical personnel or other staff in a general medical facility who are identified as providers whose primary function is to provide diagnosis, treatment, or referral for treatment for a SUD are also Programs.
Public Law 104-191	The Health Insurance Portability and Accountability Act
QSO	Qualified Service Organization
QSOA	Qualified Service Organization Agreement
Query-Based Exchange	A query-based exchange enables health care providers to search clinical data sources and discover information about a patient. It typically involves an intermediary, often known as a Health Information Exchange (HIE).
RAC	Recovery Audit Contractor. RACs are CMS contractors performing audits and may request medical records to perform such audits.

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Reasonable Cause 45 CFR 160.404(b)(2)(i)(A), (B)	A term related to a HIPAA violation category when the covered entity or business associate knew, or by exercising reasonable diligence would have known, that the act or omission was a violation, but the covered entity or business associate did not act with willful neglect.
Reasonable Diligence	A term related to a HIPAA violation. It means the business care and prudence expected from a person seeking to satisfy a legal requirement under similar circumstances.
Record	Any item, collection, or grouping of information that includes PHI and is maintained, collected, used, or disseminated by or for a covered entity.
Regression	A statistical approach that helps predict future outcomes or items in a continuous data set by solving for the pattern of past inputs, such as linear regression in statistics. Regression is foundational to machine learning and artificial intelligence.
Required by Law	As stated in 45 CFR § 164.103 , required by law means a mandate contained in law that compels an entity to make a use or disclosure of PHI and that is enforceable in a court of law. This can include: Court orders and court-ordered warrants; Subpoenas or summons issued by a court, grand jury, a governmental or tribal inspector general, or an administrative body authorized to require the production of information; Civil or an authorized investigative demand; Medicare conditions of participation with respect to health care providers participating in the program; and Statutes or regulations that require the production of information, including statutes or regulations that require such information if payment is sought under a government program providing public benefits.
Right of Access	With limited exceptions, the HIPAA Privacy Rule provides individuals with a legal, enforceable right to see and receive copies upon request of the information in their medical and other health records maintained by their health care providers and health plans. It is enforced by OCR. Right of access requires a covered entity to disclose PHI, except where an exception applies.
ROI	Release of Information
Rules-Driven	AI that utilizes human-crafted or curated rule sets to reach conclusions and self-correction.
SAMHSA	Substance Abuse and Mental Health Services Administration. The agency within the U.S. Department of Health and Human Services (DHHS) that leads public health efforts to advance the behavioral health of the nation. Website: www.SAMHSA.gov
SBIRT	Screening, Brief Intervention and Referral to Treatment. It is a cluster of activities designed to identify people who engage in risky substance use or who might meet the criteria for a formal substance use disorder (SUD).
Stands in the Shoes	A term used for a personal representative of an individual that has the ability to act for the individual and exercise the individual's rights.
Subpoena	A subpoena is a legal document used to obtain the testimony (written or oral) of a witness in a legal proceeding. Subpoenas are usually issued by attorneys, and while they do have the authority of the court behind them, they do not carry the same weight as actual court orders.
Subpoenas Duces Tecum	Subpoenas for written information which require an accompanying written authorization to release the information before disclosing records.
Subpoenas for Deposition or Testimony	Subpoenas for oral information that are usually sufficient to compel you (or the provider) to appear at the appointed place and time, but they are seldom sufficient to allow or compel the disclosure of protected information.

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SUD	Substance Use Disorder. 42 CFR Part 2 defines SUD as a cluster of cognitive, behavioral, and physiological symptoms indicating that the individual continues using the substance despite significant substance-related problems such as impaired control, social impairment, risky use, and pharmacological tolerance and withdrawal. It does not include tobacco or caffeine use.
TPO	Treatment, Payment and Operations. TPO is often an acronym used when discussing the Notice of Privacy Practices, which notifies patients how their PHI will be used, giving the patient the opportunity to object. A covered entity also may disclose PHI for the treatment activities of any health care provider, the payment activities of another covered entity and of any health care provider, or the health care operations of another covered entity involving either quality or competency assurance activities or fraud and abuse detection and compliance activities if both covered entities have or had a relationship with the individual and the PHI pertains to the relationship.
Unknowing 45 CFR 160.404(b)(1)(i), (ii)	A term related to a HIPAA violation category when the covered entity or business associate did not know and reasonably should not have known of the violation. "Unknowing" is uncommon since so much information is available to providers regarding HIPAA compliance.
USCDI	United States Core Data for Interoperability. It is a standardized set of health data classes and constituent data elements for nationwide, interoperable health information exchange.
Use	In regards to how PHI is handled, use is when PHI is referenced or transferred within your own organization. The opposite is "disclosed," which is when PHI is sent outside your organization.
Warrant Statutes	The "warrant" statutes provide an immediate basis for law enforcement to seek court orders temporarily preventing individuals in crisis from accessing or possessing guns. However, standing alone, these warrants do not provide an ongoing prohibition against such persons' possession or acquisition of firearms and do not provide a basis for entering those persons into the National Instant Criminal Background Check System and corresponding state firearm background check systems as individuals prohibited from possessing firearms.
Willful Neglect	A term related to a HIPAA violation category, which means conscious, intentional failure or reckless indifference to the obligation to comply with the administrative simplification provision violated.
Willful Neglect/Corrected 45 CFR 160.404(b)(2)(ii)(A), (B)	A term related to a HIPAA violation category when the violation was the result of conscious, intentional failure or reckless indifference to fulfill the obligation to comply with HIPAA. However, the covered entity or business associate corrected the violation within 30 days of discovery.
Willful Neglect/Uncorrected 45 CFR 160.404(b)(2)(iii)(A),(B)	A term related to a HIPAA violation category when the violation was the result of conscious, intentional failure or reckless indifference to fulfill the obligation to comply with HIPAA and the covered entity or business associate did not correct the violation within 30 days of discovery.