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**Commonwealth of Massachusetts**  
*Executive Office of Health and Human Services*  
**Department of Transitional Assistance**  
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**Field Operations Memo 2003-17**  
**August 1, 2003**

**To:** Transitional Assistance Office Staff

**From:**  Cescia Derderian, Assistant Commissioner for Field Operations

**Re:** Health Insurance Portability and Accountability Act (HIPAA)

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**Background** In April of 2003 the provisions of HIPAA went into effect. These federal privacy provisions protect patients' medical records and other health information provided to health plans, doctors, hospitals, pharmacies and other health care providers. These provisions also provide patients with access to their medical records and more control over how their personal health information is used and disclosed.

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**Impact on DTA** These provisions apply to an entity that is a covered health care provider, referred to as a covered entity. The Department of Transitional Assistance is not a covered entity and therefore not subject to provisions of HIPAA. The only change to the way TAOs conduct business based on this act is the TAFDC and EAEDC Disability Supplements were revised.

TAOs are reminded that all applicants' and recipients' rights including confidentiality of the information provided to the Department have not changed and existing procedures remain in effect. See 106 CMR 701.320.

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**TAFDC and EAEDC Disability Supplement** The TAFDC and EAEDC Disability Supplements were revised to make the medical records release form contained within the supplements HIPAA compliant. This is because the forms are used to obtain information from providers who are covered entities. It is important to ensure the revised supplements are used. If not, a provider may refuse to share the information with Disability Evaluation Services (DES).

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**Questions** If you have any questions, please have your Hotline designee call the Policy Hotline at 617-348-8478.

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