



WIN Communications Corporation

White Paper

WIN Wireless Solutions and HIPAA Compliance

What is HIPAA?

HIPAA is the Health Insurance Portability and Accountability Act. It was signed into law in 1996. It has the following provisions:

- Guarantee health insurance coverage of employees,
- Reduce healthcare fraud and abuse
- Simplify administration to improve effectiveness and efficiency
- Protect the health information of individuals against access without consent or authorization.

What Does HIPAA Compliance Mean?

HIPAA, among other things, mandates that the healthcare provider protect the confidentiality of electronically stored and transmitted patient information. These mandates require that healthcare providers establish privacy regulations to ensure that sensitive patient data is only seen and accessed by authorized individuals on a need to know basis. They are also responsible for security requirements, including encryption, for the electronic transmission and storage of patient information. Healthcare providers become compliant with the privacy and confidentiality mandates by putting practices and procedures in place that will facilitate the compliance.

Is WIN's Wireless Solution HIPAA Compliant?

Not all equipment used in a healthcare facility is required to be HIPAA compliant. In general only equipment that electronically stores or transmits patient data must be HIPAA compliant. The WIN Wireless Solution is used for voice communication and therefore does not fall under the privacy mandates of HIPAA. Even though the WIN Wireless Solution is capable of receiving text messages from third party devices, it cannot store this information and cannot retransmit this information. These text messages are delivered to WIN Wireless Terminals by third party servers; therefore messages are not stored on the WIN Wireless Telephone. Since the messages are stored on the third party servers, they must be in compliance with HIPAA regulations to protect potentially sensitive patient information, but the WIN Wireless Telephones do not. Implementation of text messaging is at the discretion of the healthcare provider. In this regard

the WIN Wireless Telephones serve as a receiver of text messages and nothing more. Depending on the types of messaging applications and information transmitted, the healthcare provider is responsible for ensuring HIPAA compliance as stated above.

Further, the WIN Wireless solution operates on its own network separate from the data network and therefore, cannot act as a portal into that network. Thus, allowing the data network a greater degree of security.

In fact the WIN Wireless solution may enhance the healthcare providers HIPAA compliance efforts for the following reasons:

- Operates at 2.4GHz using spread spectrum digital technology.
- Uses frequency hopping among 711 channels using a random selection algorithm.
- Occupies any one channel for no more than 13ms.
- The signal is digitally encoded and tied to the serial number of the handset being used.
- Operates on a separate network than the data network.

With this type of operation it is next to impossible to tap into or monitor any conversation that takes place on the wireless voice network thus insuring greater privacy of conversations.

Further, by definition, the WIN Wireless Solution is a mobile solution. This allows the user to move to a more secure area to carry on conversations concerning patients. This is important because part of the HIPAA mandate is that healthcare professionals take reasonable care, to insure that conversations concerning individual patients are not overheard by unauthorized personnel.