

PRIVACY & LEGAL FAQ

Overview

NPAR™ is a secure, web-based database service. Its easy-to-use screens allow authorized users to quickly locate and retrieve a patient's antibody records and transfusion history from any participating blood bank or transfusion service. NPAR features a fully automated data entry process, so it is scalable to institutions of all sizes.

1. Is NPAR compliant with HIPAA and the HITECH Act?

Yes. NPAR was designed from the ground up to comply with HIPAA and the HITECH Act. Our legal counsel, who specializes in medical regulatory law, has been involved from the project's inception.

2. Does HIPAA require patient consent for sharing data with NPAR?

HIPAA explicitly allows disclosure of PHI for treatment, payment, or healthcare operations without patient consent (see 45 CFR §164.506). However HIPAA allows covered entities to institute stricter consent policies if they so choose.

3. Our organization does ask patients for consent. Can NPAR support this?

Yes. NPAR provides a mechanism for flagging patients who have withheld their consent. Any NPAR searches that match such a patient will be blocked, with an override option in case of a life-threatening emergency.

4. Is NPAR likely to affect any other patient forms?

You should verify that your Notice of Privacy Practices provides for disclosures to data repositories such as NPAR.

5. Have independent parties examined NPAR for compliance?

Several large health care providers have verified that NPAR's physical, administrative, and technical safeguards fully adhere to all HIPAA requirements, with no exceptions. In addition, NPAR engaged a recognized Internet security firm to test the system, and has implemented all recommendations.

6. Has NPAR received 510(k) clearance?

NPAP is categorized as a Medical Device Data System (MDDS), registered and regulated under 21 CFR Part 820, and as such does not require 510(k) clearance.

7. Our state has laws governing HIO operations. How does this affect NPAR?

HHS HIPAA guidance describes a Health Information Organization as “*an organization that oversees and governs the exchange of health-related information among organizations according to nationally recognized standards*”.

NPAR does not govern the data exchanges between participating facilities, and uses proprietary (non-standard) data formats to transfer and display patient information. Therefore NPAR is not a Health Information Organization.

8. How does NPAR prevent unauthorized usage?

All access requires a valid user ID and password. Standard security practices apply, including password strength, password aging, and locking out users after excessive login attempts.

NPAR monitors the number of patient searches and alerts the hospital's NPAR administrator(s) if unusual activity levels are detected.

9. Can we track how NPAR is used?

Yes. NPAR logs all user activity, including patient lookups. NPAR provides both canned and ad-hoc reports that allow administrators to review these logs at any time.

10. Will NPAR affect our liability exposure?

NPAR provides information that can reduce the frequency of transfusion reactions, so you should have less exposure to injury claims.

Participating facilities agree to hold one another harmless for any errors or omissions in their patient records.

11. How can I learn more about how NPAR works in the blood bank?

Please review the accompanying Clinical FAQ.

12. Our IT group will have additional questions. What information can I give them?

Please review the accompanying Technical FAQ.