
REQUIRED ANNUAL NOTICES

Notice about the Genetic Information Nondiscrimination Act (GINA)

GINA is a federal law that basically prohibits health plans and insurers from requiring genetic tests for plan participation, from collecting genetic testing information and from adjusting plan premiums based on genetic information. Family history of disease information collected in connection with any health risk assessment is genetic information that is protected health information under HIPAA and GINA. This information, accordingly, is not shared with employees who administer the health plan except in the form of aggregate, desensitized data.

Notice Required by the Department of Labor

Group health plans, including those described in this guide, and health insurance issuers generally may not, under federal law, restrict benefits for any hospital length of stay in connection with childbirth for the mother or newborn child to less than 48 hours following a normal vaginal delivery, or less than 96 hours following a cesarean section, or require that a provider obtain authorization from the plan or insurance issuers for prescribing a length of stay not in excess of the above periods.

Notice Required Under the Women's Health and Cancer Rights Act of 1998

Group health plans, including those described in this guide, in the past have provided coverage for mastectomies. This coverage generally includes procedures necessary to effect reconstruction of the breast on which the mastectomy was performed as well as the cost of prostheses (implants, special bras, etc.) and physical complications of all stages of a mastectomy, including lymphedemas, as recommended by the patient's physician. Additionally, plans described in this guide provide coverage for any necessary surgery and reconstruction of the breast on which a mastectomy was not performed to produce a symmetrical appearance for any participant currently receiving plan benefits. This coverage is subject to the same coinsurance, deductibles, co-payments, and other limitations that apply to mastectomies under the plans' current terms.

HIPAA Privacy rule reminder

A federal law known as HIPAA (the Health Insurance Portability and Accountability Act) requires that Institute employees as well as those who administer health care plans take reasonable steps to ensure the privacy of personally identifiable health information (PHI). The term PHI includes all individually identifiable health information that is communicated orally, in writing, or in electronic form between a plan participant and those who provide health care services and who administer health care plans. PHI includes any combination of a member's name, address, date of birth, social security number, marital status, and sex when disclosed with the person's health history, medical records, or information about present or future health care. PHI should be disclosed only to health care providers for treatment, to third party administrators who make coverage determinations and payments, and to the people who administer the health care plan on behalf of the plan administrator.

The Privacy Notice for the SwRI Medical Benefits Office can be obtained through the Retiree Bulletin Board at <https://retirees.swri.org/>.

Texas HIPAA alert

Texas Statute H.B. 300 makes all individuals responsible for safeguarding protected health information (PHI) in the same manner that covered entities (doctors, hospitals, pharmacies, health plans, medical clinics, etc.) are required to do under the federal HIPAA privacy rules. You should not disclose information about your personal health to anyone who does not need that information for a business reason. If you do so, the individual health information you disclosed is no longer protected. If you become aware of health information pertaining to someone that was not voluntarily provided to you by that person, you should not share that information without permission to do so. H.B.300 provides for both civil and criminal penalties when PHI is improperly disclosed. The privacy protection under Texas law exceeds the privacy protection extended under the federal HIPAA privacy rules and extends to information about your name, address, gender, social security number and banking information.