



Safer Communication through Health Insurance Carriers

Communications Between Carriers and Enrollees – Conformity with HIPAA

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In a previous session, Maryland's Women's Law Center lobbied for the passage of Communications Between Carriers and Enrollees – Conformity with HIPAA, a modest bill that required the Maryland Insurance Administration (MIA) to develop a form that reflects an already existing HIPAA provision to allow individuals to request that carriers keep insurance communications confidential when such communications would endanger them. People who are facing situations of domestic violence need to have knowledge of and access to the process to request that an insurance communication be sent to an alternative address. In this way, survivors can seek medical and behavioral health services without fear of being further endangered at home.

Domestic violence victims need insurance communications to be kept private. If an insurance communication, usually an explanation of benefit, is sent home, the individual could be at risk of having an abuser discover that he or she sought medical or behavioral health services to help them address the abuse. Domestic violence victims who are in danger may forgo or delay seeking medical and behavioral health services for fear of reprisal from their abuser, who may be the insured in the family. Thus, they are denied the very services that may provide a pathway out of an abusive situation. If an individual does seek services, there is a strong chance that they will not use their insurance coverage because of fear of the consequences.

A standardized form, as put forth in this law, is essential in making sure Marylanders who need these protections have a clear avenue to seek them. A standard form has been developed by the Maryland Insurance Administration for requests for confidentiality of information about receiving medical or behavioral health services. To reiterate, this ability to request is already available under federal HIPAA law. The problem remains that very few individuals, or even organizations providing services to victims of domestic violence, are aware of this right.

Request For Confidential Communications form is available through the Maryland Insurance Administration and can be accessed at:

<http://insurance.maryland.gov/Consumer/Documents/publicnew/confidential-communication-form.pdf>

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