

Medical Identity Theft – “Red Flags Rule” Quick Reference Sheet

The Federal Trade Commission (FTC) has issued a set of regulations known as the “Red Flags Rule,” requiring that certain entities develop and implement written identity theft prevention and detection programs to protect consumers from identity theft by June 1, 2010.

What is Medical Identity Theft?

Medical identity theft occurs when someone uses a person’s name and/or other parts of a person’s identity (e.g. insurance information), without that person’s knowledge or consent, to obtain medical services or goods or to make false claims for medical services or goods.

Difference between “Red Flags Rule” and HIPAA privacy & security rules:

HIPAA is intended to protect personal health information (PHI) for security and privacy purposes. PHI as defined by HIPAA is covered by the “Red Flags Rule”, but the rule extends to other sensitive information:

- Credit card information
- Tax identification numbers, social security numbers, business identification numbers and employer identification numbers
- Insurance claim information
- Background checks for employees and service providers

Medical Identity Theft impact Medical Care by

- Creating fictitious medical records in the victim’s name
- Erroneous entries documented in the existing medical/financial record
- Delivery of inaccurate medical treatment

Ensuring Patient’s Privacy is Protected

- Use at least 2 patient identifiers or key patient demographic information to ensure proper identification before disclosing any information
- Reference “Medical Identity Theft Prevention and Response Program” policy and procedure

When I suspect I am being confronted with a “Medical Identity Theft” situation, I should:

- Notify my supervisor/manager
- My supervisor/manager will attempt to resolve registration issues (change of address, maiden name, etc.) by verification of identity
- If “medical identity theft” is confirmed, my supervisor/manager will notify UCLA Medical Sciences Compliance Officer (310-794-0922)
- UCLA Medical Sciences Compliance officer will conduct investigation, if appropriate