



THE PATCH ACT PROTECTS YOUR PATIENTS' CONFIDENTIAL HEALTH CARE INFORMATION



How Does The PATCH Act Impact Your Patient?

The Protect Access to Confidential Healthcare (PATCH) Act protects your patients' confidential healthcare information by allowing your patient to choose how and where their health insurance company sends their summary of payments (SOP), or explanation of benefits (EOB).

The Law Applies To Your Patient If They Are...

1. A minor (under 18 years of age) on the same health insurance plan as the policyholder, who is their parent/legal guardian, spouse or partner, and your patient needs certain confidential health services as outlined in state law. A few examples include:
 - emergency services to prevent risk to their health or life
 - services relating to HIV and STI testing, prevention, and treatment
 - family planning services
2. A young adult (18-26 years old) on the same health insurance plan as the policyholder
3. Anyone else covered under another person's health insurance plan such as a spouse or partner who is the policyholder

Sensitive Services That Can No Longer Be Specifically Described on Your Patient's SOP



Based on how the services are coded, the following are some examples:

- HIV testing, treatment, and prevention
- Gender identity-related care if they identify as transgender
- Hepatitis B & C testing and treatment
- STI testing, treatment, and prevention
- Sexual and reproductive healthcare or health services
- Domestic violence, relationship abuse, or sexual assault services
- Mental health and substance use disorder services

*Note-The name of their health provider will still appear on their SOP.

How Does It Work?



1. Visits need to be correctly coded as a sensitive service so that descriptions of sensitive services are suppressed on SOPs. See website below for more details on billing codes for sensitive services.
2. If the patient has an out-of-pocket cost such as a copay or deductible, they have two options for telling their health insurance company how and where they want their SOP sent.
 - receive the SOP at any physical address that they choose, or
 - receive the SOP directly online -- all health insurance plans are required to offer SOP forms online by April 2019, but some may be doing this already
3. If the patient doesn't have an out-of-pocket cost, they can request that their SOP not be sent at all.

Assist Your Patient By...



- educating your patient on the confidentiality protections now available
- determining how and where the patient wants their SOP sent
- connecting your patient with assistance, if needed, to call their health insurance company to make their SOP request

Does Your Patient Have Problems? Help Them File A Complaint With...



The Massachusetts Division of Insurance at 617-521-7794.

For More Information Visit: <https://www.hcfama.org/confidentiality>