

1880 Forms of Insanity

In 1880, there were six general categories of insanity: Mania, Melancholia, Paresis (General Paralysis), Dementia, Epilepsy, and Dipsomania. Puerperal Mania was not included with these six but is listed for one woman in the 1880 U.S. Federal Census under the heading “Form of Disease.”

2010 DSM

In the year 2010, *The Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition* (DSM-IV), lists seventeen Criteria for Mental Disorders as opposed to the six general forms of diseases that were presented in 1880. DSM-IV Complete Criteria for Mental Disorders are: Adjustment, Anxiety, Child, Cognitive, Dissociative, Eating, Factitious, Impulse, Mental GMC (Disorder due to Medical Condition), Mood, Other, Personality, Psychotic, Sexual, Sleep, Somatoform and Substance.

(SOURCE: from the website by Dr. James Morrison at http://www.neurosurgical.ca/ClinicalAssistant/scales/dsm_IV/dsm_index.html)

The HIPAA Law

“Health Information Privacy

The Office for Civil Rights enforces the HIPAA Privacy Rule, which protects the privacy of individually identifiable health information; the HIPAA Security Rule, which sets national standards for the security of electronic protected health information; and the confidentiality provisions of the Patient Safety Rule, which protect identifiable information being used to analyze patient safety events and improve patient safety.

Understanding Health Information Privacy

The HIPAA Privacy Rule provides federal protections for personal health information held by covered entities and gives patients an array of rights with respect to that information. At the same time, the Privacy Rule is balanced so that it permits the disclosure of personal health information needed for patient care and other important purposes. The Security Rule specifies a series of administrative, physical, and technical safeguards for covered entities to use to assure the confidentiality, integrity, and availability of electronic protected health information.

For Covered Entities

The Privacy and Security Rules apply only to covered entities. Individuals, organizations, and agencies that meet the definition of a covered entity under HIPAA must comply with the Rules’

requirements to protect the privacy and security of health information and must provide individuals with certain rights with respect to their health information. If an entity is not a covered entity, it does not have to comply with the Privacy Rule or the Security Rule.

A Covered Entity is one of the following:

A Health Care Provider

This includes providers such as: Doctors, Clinics, Psychologists, Dentists, Chiropractors, Nursing Homes, Pharmacies...but only if they transmit any information in an electronic form in connection with a transaction for which HHS has adopted a standard.

A Health Plan

This includes: Health insurance companies, HMOs, Company health plans, Government programs that pay for health care, such as Medicare, Medicaid, and the military and veterans health care programs.

A Health Care Clearinghouse

This includes entities that process nonstandard health information they receive from another entity into a standard (i.e., standard electronic format or data content), or vice versa.”

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996

Public Law 104-191, 104th Congress

An Act

“To amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes.

(4) HEALTH INFORMATION

(B) Relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual.

(6) INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION

(B) Relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual, and --

(i) identifies the individual; or

(ii) with respect to which there is a reasonable basis to believe that the information can be used to identify the individual.

**WRONGFUL DISCLOSURE OF
INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION**

SEC. 1177.

(a) **OFFENSE.** – A person who knowingly and in violation of this part –

(1) uses or causes to be used a unique health identifier;

(2) obtains individually identifiable health information relating to an individual; or

(3) discloses individually identifiable health information to another person, shall be punished as provided in subsection (b).

(b) **PENALTIES.** – A person described in subsection (a) shall –

(1) be fined not more than \$50,000, imprisoned not more than one year, or both;

(2) if the offense is committed under false pretenses, be fined not more than \$100,000, imprisoned not more than 5 years, or both; and

(3) if the offense is committed with intent to sell, transfer, or use individually health identifiable information for commercial advantage, personal gain, or malicious harm, be fined not more than \$250,000, imprisoned not more than 10 years, or both.”

(SOURCE: <http://www.hhs.gov/ocr/privacy/>)