

# STRATFORD

Volume 27.05

Healthcare EDI and Practice Management Software

May 2003

## *stratford notes*

**HIPAA—business associate agreement** questions were received from many of our customers in the past 45 days. They have been to meetings or talked with colleagues and they are trying to make sure they comply with the regulations.

The most common question (probably) was “do I need a ‘BA’ agreement from Stratford?”. Our answer is that we can’t provide legal advice. Our opinion is that you do not unless you send some of your patient data to us for testing. Unless you do send data to us, we have no access to it. See page 3 of last month’s (and this month’s) newsletter for more information. Also, please visit our web site for a lot of information on HIPAA. On our web site we have the HIPAA government supplied and recommended ‘BA (business associate)’ agreement. If you believe you need a BA agreement from Stratford please download it from our web site or request it from the support group. Please do not send a copy of an agreement you picked up at a meeting or got from a brochure. We cannot sign any agreement unless we are certain that it complies with the federal laws. The only agreement that we are certain does comply is the one supplied by the government.

On the back page of this newsletter we have more Internet links that can be of interest to our you. The government has excellent, comprehensive information available regarding HIPAA at no charge on their web site. Please do not depend on rumors or comments from people who may not be informed. •

## inside this issue . . . .

- Stratford Notes
- From the EDI corner
- More Support Notes
- Questions and Answers about the new version of Windows-Only Stratford Software
- Software Support Notes
- Internet Resources

---

Stratford has more than **4,900** licensed users

**Stratford’s software is now officially HIPAA compliant.** If you subscribe to our software support on a continuing basis, you will receive an update automatically that will convert you to the compliant version in about one minute, depending on the speed of your hardware. •

Each month more of our customers take advantage of this way to cut your support costs. **You can auto-pay your bill by having credit card information on file.** If you pay for a full year in advance, you receive the 11th & 12th months at no charge. You will continue to get a fully itemized monthly statement and newsletter. •

---

**Pre-paid** support customers may use email for the fastest response:

**support@stratfordsoftware.com**

•

You can find Stratford’s Internet server at this address:  
<http://www.stratfordsoftware.com/>

## ***Training Classes*** ***SHS Software Basic Training***

In the Stratford Classroom  
by Appointment only \$275

Call for class availability at least three days in advance. On-site training with a certified Stratford trainer may be available (*by appointment only*).

The cost is \$250. Telephone training is also available (*by appointment only*).

### **FROM THE EDI CORNER .....**

**Stratford is fully compliant with the new HIPAA federal law as it applies to software vendors like us.** We are ready to test our ANSI X.12 version 4010 format with any payer. •

We were recently approved by Sutter Connect – Sacramento CA. We are presently testing for HIPAA with NHIC — Southern California, , Medi-Cal / Central Coast Alliance—CA / Santa Cruz CA, Riverbend Medicare Part A—Tennessee, Noridian (Medicare contractor for several states), Trail Blazer—Virginia Medicare, XACT—Pennsylvania Medicare, Administar—Indiana, WPS—Wisconsin, Florida Medicare Part A, Palmetto / Railroad Medicare, CA Blue Cross / professional & institutional and others.

ProxyMed (a clearinghouse that we recommend) will be able to accept UB-92 claims as well as dental claims in the future. They accept v4010 now. They will process Aetna claims at no charge now. •

We have successfully semi-automated the Internet claims transmission to EDS Medi-Cal/Medicaid. •

### **MORE SUPPORT NOTES**

**CD Updates are now being shipped to our clients at least once per quarter.** Our new system of insuring that each customer gets an update at least once per 90 days should help eliminate most payer claim rejections. This service is only available if you subscribe to software support continuously and accept updates on CD. •

**A new manual format is available.** If you have wanted a manual that would lay flat on the table and have pages that could be removed, you can now have it. We have a new vendor that is supplying the manual in a small 3-ring binder format. It looks like the old manual in size and design but is much more convenient to use. The price is \$25 (+ tax & shipping). •

**Shipping charges have increased.** If you can accept your software updates on CD, we will send it by US mail and the charges are very reasonable. Of course paper shipment charges will increase. •

**Do you have a HIPAA compliant 'privacy' notice?** We have heard that some plaintiff lawyers are planting patients in doctors' offices with appointments after April 14th. If no Notice of Privacy Practices is provided, the doctor will be named in a class action suit. Be sure you comply. •

**Your clearinghouse may have setup fees and/or charge you for EDI claims,** but Stratford does not. •

---

#### **EDI "per-claim" charges**

Stratford does not have any "per-claim" or other charges related to transmitting claims to Medicare or any other carrier. We only charge (optional) for providing software support.

## QUESTIONS AND ANSWERS ABOUT STRATFORD SOFTWARE

Q: I just came back from a seminar on HIPAA. I am wondering about my relationship with Stratford since you provide me with software. I, of course, use your software to do my billing. That billing information contains a patient's diagnosis code as well as my procedure code. Technically that seems like it would be 'protected patient information' under the HIPAA definition. Do I need a special 'Business Associate' contract with Stratford? Also, I use the 'Notes' area of the Stratford program to record office notes, which I am pretty sure would be 'confidential/protected' information in many cases. At least, I certainly would not want that information released without a court order.

A: Our answer is "No, we do not think so" because Stratford cannot access its client's patient information. In December 2002 there is 'OCR Guidance' that, we believe, is on this specific point. Here is an excerpt (we cannot give you legal advice, so you are on your own for interpretation):

"The mere selling or providing of software to a covered entity does not give rise to a business associate relationship if the vendor does not have access to the protected health information of the covered entity. If the vendor does need access to the protected health information of the covered entity in order to provide its service, the vendor would be a business associate of the covered entity. For example, a software company that hosts the software containing patient information on its own

---

Stratford will run your Stratford software related classified ad in our monthly newsletter *free*, upon SHS approval! Fax your ad to us at (650) 692-1073.



server or accesses patient information when troubleshooting the software function, is a business associate of a covered entity. In these examples, a covered entity would be required to enter into a business associate agreement before allowing the software company access to protected health information. However, when an employee of a contractor, like a software or information technology vendor, has his or her primary duty station on-site at a covered entity, the covered entity may choose to treat the employee of the vendor as a member of the covered entity's workforce, rather than as a business associate. See the definition of "workforce" at 45 CFR 160.103."

On our web site, we have posted our **HIPAA-BA agreement** that you can use if we ever did need to get access to your data for testing. It is in 'PDF' format. Just download it, print 2 copies, sign them and send to us. We will return a signed copy for your files. •

### CLAIM TRANSMISSION WITHOUT PROCOMM

You can transmit to many payers without Procomm and other 3rd party software. •

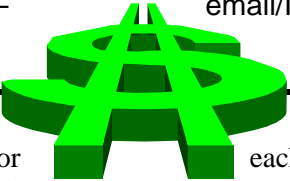
## SOFTWARE SUPPORT NOTES

- 1 **Email requests for support get Priority Service.**
- 2 **If you send an Email or fax with a description of the problem, your call is given priority over other Emails and faxes.**
- 3 **Do not call more than one time. The second call places your first call at the bottom of our callback list.**

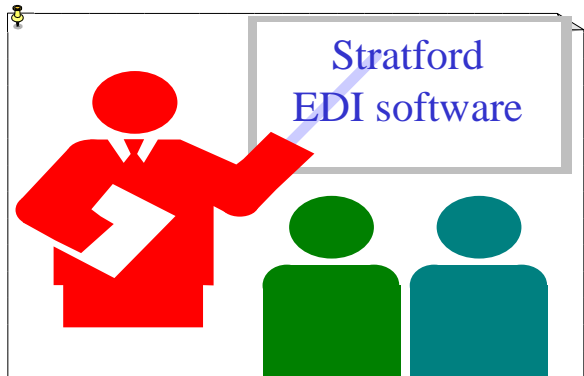
We can receive many support requests in the first few hours each day. It usually is not possible for us to have a technical support person waiting to take your call. If you just call and leave the message "please call", your call is placed at the bottom of the callback list. We must do everything we can to avoid "phone-tag". Hand-written faxes can be almost impossible to read, so please type them whenever possible. Include the best time to call you.

At this time we can deliver support best by email. If you check your email each day, you may find this to be easier than faxing us. We check our email constantly — at least every 5 minutes. We are putting most of our resources into email and other methods that utilize the Internet. If you have an ICQ number, we can support it. Let us know.

We are interested in hearing from people who would like to receive support by Internet — email/ICQ, etc.

Stratford  will pay you \$100 for you refer who each person\* purchases Stratford Software at full price (\$895). Simply fax or write to give us your referral. **We must receive the referral notice in advance of the sale. We cannot pay for a referral if you notify us after the sale.**

\*Subject to restrictions



## INTERNET RESOURCES

HIPAA—April 14th came and went. Did you survive?

◆ HIPAA—Privacy rule summary  
<http://www.hhs.gov/ocr/privacysummary.pdf>

◆ HIPAA—Frequently Asked Questions, etc.  
<http://www.hhs.gov/ocr/>

◆ Health & Human Services 'what's new' page: ( required reading, folks)  
<http://www.hhs.gov/ocr/hipaa/whatsnew.html>

◆ HIPAA—filing a complaint  
<http://www.hhs.gov/ocr/howtofileprivacy.htm>

◆ HIPAA— money penalties  
<http://www.hhs.gov/ocr/moneypenalties.html>

---

The Stratford HIPAA-BA agreement is on our web site. Download it, sign, send to us and we will return a copy for your records.

### *Stratford Newsletter*

Copyright 2003, all rights reserved

*Stratford Software, Inc.*

*840 Mitten Road*

*Burlingame, CA 94010-1304*

*Phone (650) 692-7970*

*Fax (650) 692-1073*

*Prepaid Voice Support Only (800) 274-4868*

*Internet: [mail@stratfordsoftware.com](mailto:mail@stratfordsoftware.com)*

*<http://www.stratfordsoftware.com/>*

*New Software Sales Only (800) 274-4594*