

Question (Q7)

Are the following types of insurance covered under HIPAA: long/short term disability; workers' compensation; automobile liability that includes coverage for medical payments?

Answer

No. The listed types of policies are not health plans. The HIPAA Administrative Simplification regulations specifically exclude from the definition of a "health plan" any policy, plan, or program to the extent that it provides, or pays for the cost of, excepted benefits. As described in the statute, excepted benefits are one or more (or any combination thereof) of the following policies, plans or programs:

1. Coverage only for accident, or disability income insurance.
2. Coverage issued as a supplement to liability insurance.
3. Liability insurance, general liability insurance and automobile liability insurance.
4. Workers' compensation or similar insurance.
5. Automobile medical payment insurance.
6. Credit-only insurance.
7. Coverage for on-site medical clinics.
8. Other similar insurance coverage.

Note: Disclosure of mental health services for payment requires written patient consent.