

ALAMEDA ALLIANCE FOR HEALTH

HELPFUL INFORMATION FOR MEMBERS ABOUT HEALTH CARE APPS

Updated: July 1, 2021

Thank you for choosing Alameda Alliance for Health (Alliance) as your health plan. We are here to help you stay healthy and active. As your partner in health, the Alliance team put together this information because you are considering a third-party app to retrieve your health care data. Third-party applications are not owned, operated, or monitored by Alameda Alliance for Health (“Alliance”).

There are other important things to consider before authorizing a third-party app to retrieve your health care data.

This document was created to help you with information and resources regarding your privacy and security so that you can make an informed decision when selecting an app for your health care data. This document will provide:

1. General information on steps you may consider, to help protect the privacy and security of your health information; and
2. An overview of the Health Insurance Portability and Accountability Act (“HIPAA”) and how you can submit a complaint if you think your data has been breached or used inappropriately.

1. General Information

It is important for you to take an active role in protecting your health information. Knowing what to look for when choosing an app can help you make more informed decisions. When you look at a health care app to help with your data, look for an easy-to-read privacy policy that clearly explains how the app will use your data. If an app does not have a privacy policy, it may not be a good idea to use the app.

PLEASE NOTE: Third-party health care apps may not be owned, operated, or monitored by the Alliance.

Here are some other important questions to ask when you think about using a health care app:

- Has the app been certified by any regulatory agency?
- What health data will this app collect?
- Will this app collect non-health data from my device, such as my location?
- How will this app use my data?
 - Will this app disclose my data to other third parties?
 - Will this app sell my data for any reason, such as advertising or research?
- Will this app share my data for any reason? If so, with whom? For what purpose?
- How can I limit this app’s use and disclosure of my data?

- What security measures does this app use to protect my data?
- What impact could sharing my data with this app have on others, such as my family members?
- How does this app inform users of changes that could affect its privacy practices?
- How can I access my data and correct inaccuracies in data retrieved by this app?
- Does this app have a process for collecting and responding to user complaints?
- If I no longer want to use this app, or if I no longer want this app to have access to my health information, how do I terminate the app's access to my data?
 - What is the app's policy for deleting my data once I terminate access?
 - Do I have to do more than just delete the app from my device?

If the app's privacy policy does not clearly answer these questions or if there is no privacy policy, you should reconsider using the app to access your health information. Health information is very sensitive, and you should be careful to choose apps with strong privacy and security standards to protect it.

For more information about how the Alliance may use or share your health information, please refer to Alliance's Notice of Privacy Practices.

Can I revoke access by the third-party application to my health information?

Once you authorize access, the third-party application will have access to your health information for one year. You can revoke access to the third-party application at any time.

- To revoke access please visit:
https://us120.fhir.edifecsfedcloud.com/aha_auth/permissions

2. What are a member's rights under the Health Insurance Portability and Accountability Act (HIPAA) and who must follow HIPAA?

The U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) enforces the HIPAA Privacy, Security, and Breach Notification Rules, which sets the rules for health care entities to protect health care data. The HHS OCR also enforces the Patient Safety Act and Rule, which establishes a voluntary reporting system to protect and enhance the data available to assess and resolve patient safety and health care quality issues. The Patient Safety Act and Rule also provides confidentiality protections for patient safety concerns.

You can find more information about member rights under HIPAA and who is obligated to follow HIPAA here:

- www.hhs.gov/hipaa/for-individuals/guidance-materials-for-consumers/index.html
- HIPAA FAQs for Individuals: www.hhs.gov/hipaa/for-individuals/faq/index.html

Are third-party apps covered by HIPAA?

Most third-party apps will not be covered by HIPAA, which means they do not have to follow HIPAA rules. They will instead fall under the jurisdiction of the Federal Trade Commission (FTC) and the protections provided by the FTC Act. The FTC Act, among other things, protects against deceptive acts (e.g., if an app shares personal data without permission, despite having a privacy policy that says it will not do so).

To learn more about how the FTC provides information about mobile app privacy and security for consumers, please visit www.consumer.ftc.gov/articles/0018-understanding-mobile-apps.

What can you do if you think your data may have been breached or an app used your data inappropriately?

You may file a complaint to OCR, FTC, or the Alliance, if you believe your data may have been breached or if an app used your data inappropriately.

To file a complaint:

Report a health care data breach: www.hhs.gov/hipaa/filing-a-complaint/index.html

Report a complaint about a third-party app's misuse of your data with the FTC:
www.ftccomplaintassistant.gov/#crnt&panel1-1

Report a complaint to the Alliance: Privacy@alamedaalliance.org



Would you like more support? Please call the Alliance Member Services Department
Monday – Friday, 8 am – 5 pm
Phone Number: **1.510.747.4567** • Toll-Free: **1.877.932.2738**
People with hearing and speaking impairments (CRS/TTY): **711/1.800.735.2929**