

# The Budding Friendship of HIPAA and Virtual Assistants



## Amazon introduces six Alexa skills involving protected health information

By Kevin K. Peek, JD, and Killian R. Walsh, JD

Earlier this year, Amazon proudly announced to the world that its virtual assistant, Alexa, possesses new skills in the realm of health care that abide by the ever-formidable Health Insurance Portability and Accountability Act of 1996, also known as HIPAA. The popular voice assistant is best known for residing in Amazon's hefty army of Echo devices. However, winning over HIPAA is not a popularity contest. The well-known goal of HIPAA is to guard protected health information (PHI), a task the enforcers of HIPAA do not take lightly as evidenced by the many multi-million dollar fines handed out to health care professionals found to be in violation each year.

Health care is a field into which many top technology companies, including Apple and Google, are attempting to establish a larger presence. While small steps have been taken, none have been able to enter the health market with their most ideal product—their respective voice assistants. Their attempts are often thwarted (understandably so) by HIPAA and the need to protect patients' individual health information. However, that changed earlier this year with Amazon's announcement.

Amazon introduced six new Alexa health skills in April. These skills allow users to ask questions such as "Alexa, pull up my blood glucose readings" or "Alexa, find me a doctor." Amazon partnered with six different companies—including St. Louis-based pharmacy benefits manager Express Scripts along with



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the health insurer Cigna—for the development of these specific skills in an early effort to test the waters of merging health care with the growing availability of smart technology. The new skills also allow users to schedule appointments with health care providers, find urgent care centers, receive updates from their health care providers, access their latest blood sugar reading, and check the status of their prescription deliveries.

Straight from Amazon, below is a detailed listing of the new skills:

- **Express Scripts:** Members can check the status of a home delivery prescription and can request Alexa notifications when their prescription orders are shipped.
- **Cigna Health Today:** Eligible employees with one of Cigna's large national accounts can now manage their health improvement goals and increase opportunities for earning personalized wellness incentives.
- **My Children's Enhanced Recovery After Surgery (ERAS):** Parents and caregivers of children in the ERAS program at Boston Children's Hospital can provide their care teams with updates on recovery progress and receive information regarding their post-op appointments.
- **Swedish Health Connect** (by Providence St. Joseph Health, a health care system with 51 hospitals across 7 states and 829 clinics): Customers can find an urgent care center near them and schedule a same-day appointment.



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- **Atrium Health** (a health care system with more than 40 hospitals and 900 care locations throughout North and South Carolina and Georgia): Customers in North and South Carolina can find an urgent care location near them and schedule a same-day appointment.
- **Livongo** (a leading consumer digital health company that creates new and different experiences for people with chronic conditions): Members can query their last blood sugar reading, blood sugar measurement trends, and receive insights and “Health Nudges” that are personalized to them.

Amazon stated that it plans to work with other companies on an invitation-only basis. Amazon, along with the companies it invites, will work together to develop new skills that are HIPAA-compliant by offering business associate agreements to meet HIPAA requirements. So what does this mean? How do these skills get around HIPAA and ensure patient information is protected?

### Navigating HIPAA

Typically, health care workers can only share a patient’s health information with the patient and others in the health care system. Amazon, and other businesses like it that are not health care companies, would not be able to handle this data. However, there is no hard and fast rule for becoming HIPAA compliant. Rather, it is a self-implemented process, generated by a company’s ability to follow various HIPAA requirements, like the Privacy Rule, the Breach Notification Rule, and the Security Rule.

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by transmitting it only. The way they are getting around the notion that only providers can access information is by entering into agreements with health care companies related to data. For example, with one of the skill partners, Livongo, their agreement provides for Livongo to store the information and for Alexa only to transmit the information. Alexa is not able to store any information and therefore is not able to do anything further with the data, theoretically.

While there are numerous details left to hash out, the obvious merging of health care and virtual assistants will undeniably provide ample benefits to consumers. However, providing that same level of privacy protection for patients, while also allowing such a merger, is a significant complication.

The task of creating the ability for a virtual assistant to protect and utilize PHI is no small feat. While these new available skills are a great step, virtual assistants are still not approved to provide any other kind of assistance for medical personnel related to PHI. Tasks not yet ready include note taking by doctors about a patient visit, reminders about patient appointments, and sending prescriptions to pharmacies. However, with the never-ending advances in technology and the brilliant minds behind these early steps to work with HIPAA, patients’ protected health information will continue to remain in good hands, whether they be real or virtual. ◀

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