

# HIPAA Monthly Alert



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## Liberty Healthcare Corporation

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 Questions regarding this alert?  
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### Possible HIPAA Rule Changes to Promote Value-Based Care and Coordinated Care

The Office for Civil Rights (OCR) is seeking ideas to assist OCR in identifying provisions of the Health Insurance Portability and Accountability Act (HIPAA) privacy and security regulations (HIPAA Rules) that may impede the transformation to value-based health care, or that limit or discourage coordinated care among individuals and covered entities without meaningfully contributing to the protection of the privacy or security of individuals' protected health information (PHI).

### Promoting Information Sharing for Treatment and Care Coordination

The Privacy Rule permits but does not require covered entities to use and disclose PHI for treatment, payment, and health care operations (TPO). The Privacy Rule does not establish deadlines for disclosing PHI for TPO purposes. The question is whether these limitations of the Privacy Rule are problematic for sharing PHI for treatment and care coordination; and whether there are potential revisions to the Privacy Rule to support and promote care coordination and/or case management. OCR has sought input on whether disclosures of PHI to non-provider covered entities for care coordination and/or case management as part of TPO should be excepted from the minimum necessary standard at 45 C.F.R. § 164.502(b)(1), and if so, to what extent.

### Accounting of Disclosures

Recommendations were sought on how OCR could implement the HITECH Act requirement (2011) to ensure that individuals can obtain a meaningful accounting of disclosures without erecting obstacles or disincentives to the adoption and use of interoperable electronic healthcare records.

Reference: <https://www.hhs.gov/hipaa/for-professionals/security/laws-regulations/index.html>  
<https://www.absolute.com/-/media/Commercial/resources/whitepapers/Absolute-Software---Achieving-HIPAA-Compliance.pdf?la=en>

Please look for next month's HIPAA alert delivered through your email. You can also find the HIPAA monthly alerts on Employee Self Service (ESS).