

# HIPAA

## Monthly Alert AUGUST 2018

Liberty employees are responsible for the privacy and security of protected health information (PHI) of their patients/clients/inmates. It is imperative that staff follow up-to-date HIPAA regulations and not use excuses such as, "we have always done it this way".

Liberty staff have a duty to:

- Maintain the confidentiality of patients' PHI as required by HIPAA regulations.
- Use, view, or discuss patients' PHI only as required by job responsibilities.
- Understand Liberty HIPAA Standard Operating Procedures and ask questions about HIPAA.
- Immediately notify Liberty's privacy officer of any suspected or actual data incident of PHI.
- Direct HIPAA questions or concerns to your supervisor or call Liberty's privacy officer.

***NOTE: Never informally discuss or make comments about patients.***

Based on HIPAA regulation 24 U.S.C.-1320d-5 (d), the following conduct is prohibited and may result in criminal penalties:

- **Knowingly obtaining or disclosing PHI without authorization:** The criminal penalty is up to a \$50,000.00 fine and 1 year in prison.
- **Obtaining or disclosing PHI under false pretenses:** The criminal penalty is up to a \$100,000.00 fine and 5 years in prison.
- **Obtaining or disclosing PHI with intent to sell, transfer, or use the PHI for commercial advantage, personal gain, or malicious harm:** The criminal penalty is up to a \$250,000.00 fine and 10 years in prison.

**References:**

<https://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/.../cignetpenaltynotice.pdf>

<https://www.medpro.com/documents/10502/3281585/HIPAA+Basics+2015.pdf>

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).

Should you have any questions regarding this alert please contact: Judith Ann Shields  
Email: [judith.shields@libertyhealth.com](mailto:judith.shields@libertyhealth.com) | Phone: 610.668.8800 ext.193



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