

HIPAA Monthly Alert



2020 October

Liberty Healthcare Corporation

 Questions regarding this alert?
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What Agency of the Government Investigates HIPAA Violations?

The Office of Civil Rights (OCR) refers to the Department of Justice (DOJ) for the criminal investigation of appropriate cases involving the knowing disclosure or obtaining of protected health information (PHI) in violation of the HIPAA Privacy and, or Security Rules.

Mailing of EOBs to Wrong Persons:

An organization sent an explanation of benefits (EOB) by mail to an unauthorized family member of a complainant. The investigation determined that a flaw in the organization's computer system put the PHI of approximately 2,000 families at risk of disclosure in violation of the HIPAA Privacy Rule. Among the corrective actions required to resolve this case, the OCR required the organization to correct the flaw in its computer system, review all transactions for six months, and to remedy all corrupted patient information.

Impermissible Disclosure of PHI:

An employee of a large health care organization impermissibly disclosed the PHI of one of its patients without following the health care's authorization and verification procedures. Among other corrective actions to resolve the specific issues in the case, OCR required the health care organization to train its staff on the applicable policies and procedures and to mitigate the harm to the individual. Also, the employee who made the disclosure was counseled and given a written warning. Again, please review the Liberty HIPAA Standard Operating Procedure (SOP) #6 with attention to the form attached that outlines what is HIPAA compliant for authorization to disclose.

Reference: <https://www.hhs.gov/hipaa/for-professionals/compliance-enforcement/examples/all-cases/index.html>

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).