

Corrective Action Plan to Protect Health Information

The U.S. Department of Health and Human Services (HHS) has entered into a resolution agreement with Seattle-based Providence Health and Services (Providence) to settle potential violations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy and security rules.

In the agreement, Providence agrees to pay \$100,000 and implement a detailed corrective action plan to ensure that it will appropriately safeguard identifiable electronic patient information against theft or loss.

The incidents giving rise to the agreement involved two entities within the Providence health system, Providence Home and Community Services and Providence Hospice and Home Care. On several occasions between September 2005 and March 2006, backup tapes, optical disks, and laptops, all containing unencrypted electronic protected health information, were removed from the Providence premises and left unattended.

The media and laptops were subsequently lost or stolen, compromising the protected health information of over 386,000 patients. HHS received over 30 complaints about the stolen tapes and disks that were submitted after Providence, pursuant to state notification laws, informed patients of the theft.

Under the resolution agreement, Providence agrees to pay a \$100,000 resolution amount to HHS and implement a robust corrective action plan that requires:

- revising its policies and procedures regarding physical and technical safeguards (e.g., encryption) governing off-site transport and storage of electronic media containing patient information;
- a plan subject to HHS approval;
- training workforce members on the safeguards;
- conducting audits and site visits of facilities and;
- submitting compliance reports to HHS for a period of three years.

What This Means For Counties

Since the occurrence of these and other similar incidents, the protection of patient information should be the priority of all counties. All counties may want to look at reinforcing security protocols, implementing new data protection measures and supplementing all of this with training.

For more information, contact CTSI at 303-861-0507.