

COMPLIANCE CONNECTION



DECEMBER 2021



MIDLAND HEALTH
Compliance Hotline
877-780-9367

This newsletter is prepared by the Midland Health Compliance Department and is intended to provide relevant HIPAA privacy issues and hot topics.

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DID YOU KNOW...



Three Amazing Christmas Day Stories by Nurses That Will Warm Your Heart

During Christmas, Santa Claus isn't the only busy person around. Nurses spend their Christmas day at the hospital just to make sure their patients stay safe. However, despite not being able to spend time with their families at home, working on Christmas day isn't a total nightmare for nurses. These Christmas stories by nurses can show you exactly why.

HIPAA Privacy Rule Myths & Facts

Myth

"Authorizations must be notarized to comply with HIPAA."

Fact

Not true!

The Authorization should be easy for the patient to provide. However, there are several key elements and required statements for an Authorization to comply with HIPAA to be a valid authorization.

If any one of the elements or statements is missing, it is NOT valid, and should be returned to the person who provided it, for correction.

Read entire article:

<https://thehipaetool.com/beware-hipaa-myths/>

Working Christmas Day The story starts on an unusually quiet day in the Emergency Room. Victoria was the triage nurse that day. After getting a cup of hot cider, she came back to five patients waiting to be evaluated. Two children had headaches but there were no obvious signs that they were in pain. Two other children reported to have earaches but only one of them could tell which ear was hurting. The adult woman, on the other hand, complained of cough but it was obvious that she was working to produce it. Victoria became suspicious, so she went ahead and carefully checked the patients' charts. There was no address. The family was homeless. Because it was wrong for hospitals to turn away patients, Victoria and the nurses went to work. However, instead of responding to a medical emergency, they prepared for a Christmas emergency. They prepared a banquet for the family with the free meals they got from the hospital cafeteria. They put together oranges and apples and goodie bags of stickers, candies, and crayons they found around the station. The nurses took turns in joining the party. Each of them spent time to get to know the family. When it was Victoria's turn, she asked the children about their dreams. One of them said that she wanted to be a nurse so she could help people. Upon hearing this, the mother smiled and said that all she wanted was for her family to be safe and warm, just like how they were in the Emergency Room. As the family was about to leave, one of the little kids ran back to Victoria. "Thank you for being our angels today," the kid said.

From Bitter to Blessed This Christmas story was written by a nurse we'd call Any Nurse. And just like most nurses, she wasn't too eager to work on Christmas Day. In fact, she dreaded the shift from the moment her alarm clock woke her up. But just like most nurses, Any Nurse had to go to the hospital. As soon as she started her shift, IV alarms started beeping, call lights were ringing, and pharmacy techs became busy delivering medications. While she was busy trying to get an IV in one stick on a patient who badly needed a blood transfusion, a code blue was paged. Her heart jumped and skipped a little imagining that someone's loved one was coding on such a special day. Down the hall, she saw Valerie. She's a 2-year old burn patient, a victim of a kitchen accident. Any Nurse hoped that Valerie wouldn't have any disfiguring scars. Just imagining Valeria at 13 years old and dealing with those scars made her heart hurt. Any Nurse has a 2-year-old kid. She went on to help Anita, her nursing assistant. They bathe a 76-year-old patient who was admitted with a stroke. The two of them combed the patient's thinning hair and applied a red lipstick to her lips. With the patient's garbled speech, she managed to say "Thank you, dear." On her way back to the station, Any Nurse answered a call light from a patient who was cold. She went to the supply room and found several blanket warmers. As she gave one to her patient, she saw her smile as the warmth seeped in. After her shift, Any Nurse felt really excited to go home, share her day with her husband, and cuddle with her healthy kids. A neonatal critical care nurse's story Rosie Warr has been working as a nurse for 40 years. More than half of her Christmas Days have been spent in the hospital. It has been her tradition to make her patients and their families' Christmas Day extra special. After all, it's their first Christmas together. Rose dresses the babies in Christmas outfits. Some of them will be covered with decorative quilts. Her team creates Christmas cards made from the babies' footprints, too. As Christmas comes, her unit becomes extra busy as the brothers and sisters of the patients come to visit. And seeing their babies all dressed up is such a lovely surprise for them.

Read entire article:

<https://www.nursebuff.com/christmas-stories-by-nurses/>



MIDLAND HEALTH

COMPLIANCE TEAM

Michelle Pendergrass, MBA, CHC
Chief Compliance Officer/Privacy Officer
P: 432-221-1972

Michelle.Pendergrass@midlandhealth.org

Pam Porras, CMC, CHCA
Compliance Officer 501a
Pamela.Porras@midlandhealth.org

Regenia Blackmon
Compliance Auditor
Regenia.Blackmon@midlandhealth.org

DID YOU KNOW...



HIPAA stands for:

The Health Insurance Portability and Accountability Act

Enacted in 1996, the Act goes beyond protecting personally identifiable information. It also works to modernize the flow of healthcare information and address limitations on healthcare insurance coverage. Once it was enacted, the healthcare industry as a whole underwent massive changes. And since then, it continues to evolve.

Resource: <https://www.cloudnexusit.com/2020/12/31/hipaa-fun-facts/>



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UPMC Hacker Who Stole PII of 65,000 Employees Gets Maximum 7-Year Sentence

The hacker who gained access to the databases of University of Pittsburgh Medical Center (UPMC) and stole the personally identifiable information (PII) and W-2 information of approximately 65,000 UPMC employees has been handed the maximum sentence for the offenses and will serve 7 years in jail.

Sean Johnson, of Detroit, Michigan – aka TheDearthStar and Dearth Star – hacked into the databases of UPMC in 2013 and 2014 and stole highly sensitive information which was then sold on dark web hacking forums and was used by identity thieves to file fraudulent tax returns in the names of UPMC employees. The Department of Justice (DOJ) also alleged Johnson conducted further cyberattacks between 2014 and 2017 and stole the PII of an additional 90,000 individuals. Those sets of data were also sold to identity thieves on dark web forums.

In total, fraudulent tax returns totaling \$2.2 million were filed and around \$1.7 million was dispersed by the IRS. The funds received were converted to Amazon gift cards, which were used to purchase high-value goods that were shipped to Venezuela.

Three of Johnson's co-conspirators were arrested and charged for their roles in the UPMC cyberattack. In August 2016, Cuban national Yolandy Perex Llanes was extradited to the United States and pleaded guilty in April 2017 to money laundering and aggravated identity theft. He was sentenced in 2017 to 6 months of time served.

Read entire article:

<https://www.hipaajournal.com/upmc-hacker-who-stole-pii-of-65000-employees-gets-maximum-7-year-sentence/>

HIPAA Quiz

Dr. Jones, head of surgery, asks to see Kristi Smith's chart. Dr. Jones is not Kristi's physician but Kristi is his wife's best friend and he wants to see how she is doing. What do you do?

- Give Dr. Jones the chart.
- Ask Dr. Jones for the appropriate written authorization to review Kristi's chart.
- Tell Dr. Jones that he cannot see the chart since he is not the patient's physician
- Tell Dr. Jones you are too busy to get the chart

Answer: b

Ask Dr. Jones for the appropriate written authorization to review Kristi's chart. Only individuals who are involved in a patient's payment, treatment, or healthcare operations or have written authorization from the patient may access information on the patient.

LINK 1

Cyberattacks Reported by Schneck Medical Center and Epilepsy Foundation of Texas

<https://www.hipaajournal.com/cyberattacks-reported-by-schneck-medical-center-and-epilepsy-foundation-of-texas/>

LINK 3

Elekta Faces Class Action Lawsuit over Ransomware Attack and Data Breach

<https://www.hipaajournal.com/elekta-faces-class-action-lawsuit-over-ransomware-attack-and-data-breach/>

LINK 2

Almost 54,000 Patients Affected by OSF HealthCare Ransomware Attack

<https://www.hipaajournal.com/almost-54000-patients-affected-by-osf-healthcare-ransomware-attack/>

LINK 4

Ransomware Deployed 2 Minutes After Hackers Gained Access to Johnson Memorial Health's Network

<https://www.hipaajournal.com/ransomware-deployed-2-minutes-after-hackers-gained-access-to-johnson-memorial-healths-network/>



HIPAA and Privacy Act Training

When a federal agency provides healthcare services, there may be circumstances in which employees need to undergo both HIPAA and Privacy Act training. In addition, as an increasing number of states enact their own privacy laws, there may also be occasions when employees of state agencies require HIPAA and Privacy Act training.

The Privacy Act of 1974 governs the collection, use, storage, and sharing of personally identifiable information maintained by federal agencies. Under the Act, U.S. citizens have the right to request a copy any data held about them and request that any errors are corrected, federal agencies must only collect data "relevant and necessary" to accomplish the purpose for which it is being collected, and sharing data between agencies is restricted and allowed only under certain conditions.

People acquainted with the Health Insurance Portability and Accountability Act will find these privacy provisions familiar as they closely resemble Patients' Rights under HIPAA, the Minimum Necessary Standard, and Business Associate Agreements. Indeed, there are many similarities between HIPAA and the Privacy Act. However, despite the similarities, separate HIPAA and Privacy Act training is required by law in circumstances where both Acts apply.

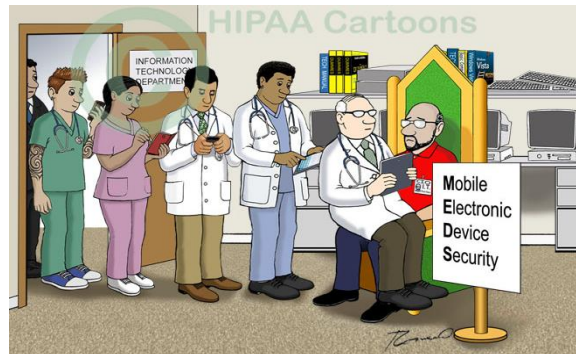
The Laws Governing Privacy Act and HIPAA Privacy Training

Privacy Act training is governed by Part 24 of the Federal Acquisition Regulation. Subpart 24.3 states training must be provided initially and annually for employees that collect, create, use, process, store, or dispose of personally identifiable information, have access to systems on which personally identifiable information is maintained, or who "design, develop, maintain, or operate" a system which collects, creates, uses, processes, stores, or disposes of personally identifiable information.

Read entire article:

<https://www.hipaajournal.com/hipaa-and-privacy-act-training/>

HIPAA Holiday Humor



"After Christmas, I.T. uses M.E.D.S. to deal with the headache of B.Y.O.D."

THUMBS UP to all MH Departments for implementing awareness of...

HIPAA, PII, PHI, ePHI, Security, and Social Media



- Main Campus
- West Campus
- Legends Park
- 501a Locations

