



COMPLIANCE CONNECTION

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COMPLIANCE CONNECTION: Providing Relevant Issues and Hot Topics

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FEATURE ARTICLE

Jussie Smollett Case: 50 Hospital Workers Fired For Alleged HIPAA Violations

HIPAA Quiz

(See Page 2 for Question & Answer)

DID YOU KNOW...



HIPAA privacy rule: Myths & Facts

Myth: "A Doctor Cannot Send Medical Records to Another Doctor." As the source and the supposed owner of your medical records, it should go without saying that this information cannot be transferred to another.

Fact: A doctor can send medical records to another doctor without your explicit consent. As long as the goal of sharing the protected information is in the patient's best interests, no consent is necessary.

The Privacy Rule of HIPAA states that healthcare providers are allowed to disclose protected health information to other providers for the purposes of treatment, payment, or healthcare operations with or without patient's permission.

A healthcare provider may also disclose medical information to a family member, relatives, or any person **identified by the patient**. The medical information, however, needs to be directly relevant to this person's involvement with the patient's care or payment.

Resource:

<https://www.qminder.com/hipaa-myths-debunked/>

Jussie Smollett Case: 50 Hospital Workers Fired For Alleged HIPAA Violations



At least 50 employees, including nurses, at Northwestern Memorial Hospital in Chicago, have been fired after allegedly improperly reviewing an actor's medical records, according to NBC Chicago.

The employees were immediately fired for inappropriately viewing or accessing the records of actor Jussie Smollett. Smollett was treated at the hospital in late January. A surgical nurse, identified as Susan, stated to NBC Chicago that she was simply curious and only searched the actor's name in the system. Another unidentified employee states she did a partial search of Smollett's name for another employee, according to CBS Chicago. Both were fired for violating HIPAA.

In today's world, where everyone and everything is accessible with just a click or on social media, it is crucial for nurses to understand all aspects of HIPAA. The Health Insurance Portability and Accountability Act (HIPAA), defines how nurses should collect, use, and handle protected health information (PHI).

How to avoid violating HIPAA: The consequences of violating HIPAA include being reported to the board of nursing. There are a number of simple ways nurses can avoid violating HIPAA and their patients' trust.

Discretion: Most nurses' stations are a landmine of paper! Nurses could be violating privacy by having patient information in plain view to anyone who comes in proximity to the nurse's station or other areas, such as med carts, where patient info may be displayed.

This is a small but careless and easily avoidable mistake, be sure to: 1) Keep patient charts, medication administration records, treatment administration records, and folders closed, by using privacy filters. 2) Keep computer screens and other device screens are hidden or closed from patients, your colleagues, and visitors. 3) Documents, lab results, and communication or report sheets should not be left lying at the nurse's station. Instead, store them in a secure drawer or file cabinet. 4) When you no longer need a document, properly dispose of it by shredding or placing in a locked bin to be destroyed later.

Read entire article:

<https://nurse.org/articles/smollett-hospital-workers-fired/>

DID YOU KNOW...



Common HIPAA Violations

- Improper disposal of patient records - Shredding is necessary before disposing of patient's record.
- Unprotected storage of private health information - A good example of this is a laptop that is stolen. Private information stored electronically needs to be stored on a secure device. This applies to a laptop, thumbdrive, or any other mobile device.



NEWS



Boxes of Records of Today's Vision Patients and Employees Discovered in Texas Dumpster

Thousands of medical records have been found abandoned in a publicly accessible dumpster in Texas. The boxes contained records of Today's Vision patients and employees and included highly sensitive information.

Today's Vision has more than 50 independently owned and operated optometry clinics throughout Texas. Most of the records appear to have come from Today's Vision in Willowbrook in northwest Houston. The Willowbrook location is no longer operational and was sold to MyEyeDr three months ago.

Dr. Donald Glenz owned and ran both the Willowbrook and Tomball Today's Vision offices, prior to the sale to MyEyeDr in February. Dr. Glenz is unaware how the files came to be dumped and who is responsible. Dr. Glenz told KPRC that the incident is being investigated to determine who was responsible. Prior to any records being deleted they are usually shredded in accordance with HIPAA requirements but that did not occur in this instance. Today's Vision executive director Greg Watson described the discovery as 'disturbing.'

The incident is also being investigated by MyEyeDr and the Department of Health and Human Services is working closely with the police department and is investigating the HIPAA violation.

Over 20 boxes of records were discovered in a dumpster behind the strip mall in Tomball, which is several miles away from the offices where the records were held. The boxes have been recovered by Tomball Police department and are being securely stored.

Read entire article:

<https://www.hipaajournal.com/boxes-of-records-of-todays-vision-patients-and-employees-discovered-in-texas-dumpster/>



NEVER
let family members use your laptop if it contains PHI.
NEVER
view patient records outside of your scope of work.
"No peeking!"

ONC Report Reveals Trends in Access and Viewing of Medical Records Online



Most hospitals and physicians have now adopted electronic medical records, yet only half of patients have been offered access to their medical records online, according to a new report from the HHS' Office of the National Coordinator for Health Information Technology (ONC).

Two of the aims of the 21st Century Cures Act were to make it easier for patients to access their health information and to improve education of patients about their rights to access their health data. The ONC conducted its Health Information Trends Survey (HINTS) to determine whether patients are being offered access to their medical records online and whether they have exercised that right and have viewed medical records that have been made available.

In 2018, there was no change in the number of patients being offered access to their medical records online. As was the case in 2017, 51% of patients were given that opportunity. However, the number of patients using that access to view or download their medical records increased. 30% of patients who were given the option had viewed their records at least once, compared to 27% in 2017.

Individuals who visited their doctor at least once in the past 12 months were twice as likely to be offered access to their medical records online than those who did not. They were also more than 50% more likely to exercise that right and access their medical records than patients who had not visited their doctor in the past 12 months.

Out of the patients who did view their medical records online, 29% viewed records 1 or 2 times, 19% viewed their records between 3 and 5 times, and 11% accessed their records 6 or more times. The number of patients who downloaded their medical records was a third higher than in 2017.

Read entire article:

<https://www.hipaajournal.com/onc-report-reveals-trends-in-access-and-viewing-of-medical-records-online/>

HIPAAQuiz

You need to access information about a patient, so you log on to the computer. You need to make a quick phone call in the next room, but you plan to return to the computer soon. Should you log off or not?

Answer: If you need to leave a computer containing PHI, you should log off. Passwords help protect information by limiting access. By staying logged on, you allow other people to have access.

IN OTHER COMPLIANCE NEWS

LINK 1

HHS Confirms When HIPAA Fines Can be Issued to Business Associates

<https://www.hipaajournal.com/hhs-confirms-when-hipaa-fines-can-be-issued-to-business-associates/>

LINK 2

PHI of 1.5 Million Individuals Exposed Online by Inmediata

<https://www.hipaajournal.com/phi-of-1-5-million-individuals-exposed-online-by-inmediata/>

LINK 3

Multi-State Action Results in \$900,000 Financial Penalty for Medical Informatics Engineering

<https://www.hipaajournal.com/multi-state-action-results-in-900000-financial-penalty-for-medical-informatics-engineering/>

LINK 4

7 Month Delay Notifying HIV Study Participants About Exposure of their Confidential Information

<https://www.hipaajournal.com/7-month-delay-notifying-hiv-study-participants-about-exposure-of-their-confidential-information/>

THUMBS UP!!!

Thumbs Up To ALL Departments For Implementing

Awareness of HIPAA, PII, PHI, ePHI & Social Media



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

