WELCOME TO THE HIPAA: PRIVACY AND SECURITY TRAINING MODULE

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Course Competencies

This training addresses the essential elements of maintaining the privacy and security of Sensitive Information and protected health information (PHI) within MIEMSS.

During this course you will learn:

• about the Health Insurance Portability and Accountability Act ("HIPAA") Privacy and Security Rules;
• about the HIPAA identifiers which create protected health information ("PHI");
• about Maryland law concerning information from health care records;
• how to recognize situations in which confidential and protected health information can be mishandled;
• about practical ways to protect the privacy and security of Sensitive Information, including PHI; and
• that employees will be held responsible if they mishandle confidential or protected health information.
Forms of Sensitive Information

Sensitive Information exists in various forms...

- printed
- spoken
- electronic

It is the responsibility of every employee to protect the privacy and security of Sensitive Information in ALL forms.
Examples of Sensitive Information

- Social Security numbers
- credit card numbers
- driver's license numbers
- personnel information
- research data
- computer passwords
- individually identifiable health information

The improper disclosure of Sensitive Information presents the risk of identity theft, invasion of privacy, and can cause harm and embarrassment to patients, EMS Providers, and MIEMSS employees. Breaches of information privacy can also result in criminal and civil penalties for MIEMSS and for those individuals who improperly access or disclose Sensitive Information, as well as disciplinary action for MIEMSS employees that are responsible for such violations.

Every MIEMSS employee must protect the privacy and security of Sensitive Information.
The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law designed to protect a subset of Sensitive Information known as protected health information (PHI).

In 2009, HIPAA was expanded and strengthened when the American Recovery and Reinvestment Act was passed. This law is referred to as the Health Information Technology for Economic and Clinical Health (HITECH) Act.

This training focuses on two primary HIPAA rules, as amended by HITECH:
Section I: The HIPAA Privacy Rule
Section 2: The HIPAA Security Rule

Note: There is also a Transaction Rule that is not covered in this course. Healthcare providers need to be aware that under this rule, treatment must be accurately billed using the prescribed code set for their profession.
Maryland Confidentiality of Medical Records Act

The Maryland Confidentiality of Medical Records Act protects patient medical records in much the same way and with the same sorts of penalties as HIPAA. Its prohibition on disclosure is very broad and extends beyond health care providers. The Maryland Act has one interesting limitation (below in bold)…

(i) Medical record. --

(1) "Medical record" means any oral, written, or other transmission in any form or medium of information that:

(i) **Is entered in the record of a patient or recipient;**
(ii) Identifies or can readily be associated with the identity of a patient or recipient; and
(iii) Relates to the health care of the patient or recipient.

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Md. HEALTH-GENERAL Code Ann. § 4-301
Section 1.A.

HIPAA Privacy Rule

Overview
A "covered entity" is any person or organization that furnishes, bills, or is paid for health care services in the normal course of business (electronic transaction required).

Pursuant to HIPAA, individually identifiable health information collected or created in a covered entity is considered "protected health information," or PHI.

MIEMSS is not a covered entity, but it is a business associate of covered entities because it provides billing data for and maintains data for covered entities. As a business associate, MIEMSS has the same duty to safeguard PHI as a covered entity.
**PHI Defined**

**PHI** is generally defined as:
Any information that can be used to identify a patient—whether living or deceased—and which relates to the patient’s past, present, or future physical or mental health or condition, including health care services provided and the payment for those services.

Employees may access PHI only when necessary to perform their job-related duties.
Any of the following are considered identifiers under HIPAA

- Patient names
- Geographic subdivisions (smaller than state)
- Account numbers
- Biometric identifiers (fingerprints or voiceprints)
- Device identifiers
- Health plan beneficiary numbers
- Dates (except year)
- Names of relatives or characteristics that can be linked to an individual
- Full face photographs or images
- Healthcare record numbers
- Telephone numbers
- Fax numbers
- Social Security numbers
- Vehicle identifiers
- E-mail addresses
- Certificate/license numbers
- Web URLs and IP addresses
- Any other unique number or code
In general, HIPAA violations are enforced by the Department of Health and Human Services. However, the more recently enacted Health Information Technology for Economic and Clinical Health (HITECH) Act now permits state Attorneys General to bring civil actions AND to sue for monetary awards to be shared with harmed individuals.

The Tufts Medical Center and an employee were sued by a patient who alleged the Center sent documents containing her protected health information to a shared office fax machine in her place of business without her consent, causing her great embarrassment. Although the PHI was related to the employee's disability claim, it was sent to the wrong fax machine located in a common area of her office.

Confirm authorization instructions and verify telephone numbers before faxing AND use pre-programmed telephone numbers whenever possible.
Unprotected USB Drive Results In $1.7M HIPAA Fine For Alaska DHSS

It was recently announced that Alaska DHSS (Department of Health and Social Services) has agreed to pay a $1.7 million dollar fine for a HIPAA breach that involved an unprotected USB drive, which was stolen from the car of a DHSS employee, that may have contained electronic protected health information (ePHI). In addition to the fine, the public agency must also follow a corrective action plan to maintain policies and procedures to ensure that HIPAA privacy and security requirements are met going forward. Over the course of the investigation, OCR found that DHSS did not have adequate policies and procedures in place to safeguard ePHI. Further, DHSS had not completed a risk analysis, implemented sufficient risk management measures, completed security training for its workforce members, implemented device and media controls, or addressed device and media encryption as required by the HIPAA Security Rule.
Access Must be Authorized:

An employee may only access or disclose a patient's PHI when this access is part of the employee's job duties.

If an employee accesses or discloses PHI without a patient's written authorization or without a job-related reason for doing so, the employee violates MIEMSS policy and HIPAA.
In 2007, more than two dozen employees at Palisades Medical Center were suspended after accessing the personal medical records of actor George Clooney, who was taken to a North Bergen, NJ, hospital after a motorcycle crash.
Unauthorized Access:

It is never acceptable for an employee to look at PHI "just out of curiosity," even if no harm is intended.

It also makes no difference if the information relates to a "high profile" person or a close friend or family member—ALL information is entitled to the same protection and must be kept private.

These rules apply to all employees, including health care professionals.

Be aware that accessing PHI of someone involved in a divorce, separation, break-up, or custody dispute may be an indication of intent to use information for personal advantage, unless the access is required for the individual to do his or her job. Such improper behavior will be considered by MIEMSS when determining disciplinary action against violators.
Breaches:

A breach occurs when information that, by law, must be protected is:

- lost, stolen, or improperly disposed of (e.g., paper or device upon which the information is recorded cannot be accounted for);

- "hacked" into by people or mechanized programs that are not authorized to have access (e.g., the system in which the information is located is compromised through a "worm"), or

- communicated or sent to others who have no official need to receive it (e.g., gossip about information learned from a medical record).
Last year, a former UCLA Health System employee became the first person in the United States to receive jail time in a federal prison for a misdemeanor HIPAA offense. The employee used his employee access to the System's electronic medical records to view the medical records of his supervisors, co-workers, and high-profile patients. While none of the information was "used" or sold, the access was nonetheless illegal because the employee lacked a valid reason for looking at the records.

The ex-employee pled guilty to four misdemeanor counts of violating HIPAA. His sentence was four months in prison and a $2,000 fine.
In July 2013, for the first time, a federal investigation of a health information breach that affected fewer than 500 individuals resulted in a penalty for HIPAA violations.

The case illustrates that no matter what the size of a breach, the Department of Health and Human Services' Office for Civil Rights (OCR) may impose penalties if its investigation reveals HIPAA non-compliance issues.

The $50,000 settlement in the case, which involved the theft of an unencrypted laptop computer from the non-profit Hospice of North Idaho, demonstrates OCR is ramping up HIPAA enforcement, says Leon Rodriguez, director of the office.

"This action sends a strong message to the healthcare industry that, regardless of size, covered entities must take action and will be held accountable for safeguarding their patients' health information," Rodriguez says in a statement.
Part of your responsibility as a MIEMSS employee is to report privacy or security breaches involving PHI to your supervisor AND the MIEMSS Security Officer (Becki Byrd) or the Office of the Attorney General.

Employees, volunteers, students, or contractors of MIEMSS may not threaten or take any retaliatory action against an individual for exercising his or her rights under HIPAA or for filing a HIPAA report or complaint, including notifying of a privacy or security breach.
Employees must report breaches:

Nebraska Medical Practice Reports HIPAA Breach

Healthcare IT News (7/2, McCann) reports that officials at the Lincoln, Nebraska-based “Wedgewood Legacy Medical, the practice of James Fosnaugh, MD, have mailed notification letters to 2,125 patients” to alert them about a HIPAA breach in which a “computer chip that went missing, allegedly from Fosnaugh’s thumb drive lanyard, contained patient names, birth dates, phone numbers, addresses, and medical record information.” Notably, “seven HIPAA-covered entities in Nebraska have reported breaches—involving more than 9,000 patients—to the US Department of Health and Human Services since the August 2008 Breach Notification Rule.”
Penalties for breaches:

Breaches of the HIPAA Privacy and Security Rules, as well as Maryland law, have serious ramifications for all involved. In addition to sanctions imposed by MIEMSS, such breaches may result in civil and criminal penalties.

Statutory and regulatory penalties for breaches may include:

- **Civil:** $50,000 per incident, up to $1.5 million per calendar year for violations that are not corrected

- **Criminal:** $50,000 to $250,000 in fines and up to 10 years in prison

In addition, institutions that fail to correct a HIPAA violation may be fined up to $50,000 per violation.

*Remember Alaska DHSS—$1.7 Million penalty!*
Quick Review:

- Sensitive Information exists in many forms: printed, spoken, and electronic.

- Sensitive Information includes Social Security numbers, credit card numbers, driver's license numbers, personnel information, computer passwords, and PHI.

- There are a number of laws that impose privacy and security requirements, including the Maryland Confidentiality of Medical Records Act and the federal HITECH Act.

- Two primary HIPAA regulations are the Privacy Rule and the Security Rule.

- When used to identify a patient and when combined with health information, HIPAA identifiers create PHI.

- An employee must have a patient's written authorization or a job-related reason for accessing or disclosing patient information.

- Breaches of information privacy and security may result in both civil and criminal penalties, as well as MIEMSS sanctions. Employees must report such breaches.
Section 1.B.

HIPAA Privacy Rule

Program Components
5 HIPAA Program Components:

MIEMSS follows these five HIPAA program components

1. Individual (Patient) Rights
2. "Minimum Necessary" Information Standard
3. Procedures for Data Use in Research
4. Limits for Marketing and Fundraising Uses
5. Business Associates
1. Patient Rights:
The first component sets forth the following individual rights for patients.

- To receive a copy of the Notice of Privacy Practices (*Note: this does not apply to MIEMSS*)
- To request restrictions and confidential communications of their PHI
- To inspect and copy their healthcare records
- To request corrections of their health care records
- To obtain an accounting of disclosures (i.e., a list showing when and to whom their information has been shared)
- To file a complaint with a healthcare provider or insurer and the U.S. Government if the patient believes his or her rights have been denied or that PHI is not being protected
2. Minimum Necessary:

Under the HIPAA Privacy Rule, when the use or disclosure of PHI is permitted, only the minimum necessary information may be used or disclosed. However, this does not restrict the ability of doctors, nurses, and other healthcare providers to share information needed to treat patients, process payments, or to report public health concerns.

Otherwise, patients must sign an authorization form before their PHI may be released by MIEMSS to outside parties.
Disclosures of PHI:

HIPAA regulations permit use or disclosure of PHI for:

- providing medical treatment
- processing healthcare payments
- conducting healthcare business operations
- public health purposes as required by law (applies to MIEMSS)

Employees may not otherwise access or disclose PHI unless:

- the patient has given written permission
- it is within the scope of an employee's job duties
- proper procedures are followed for using data in research
- required or permitted by law (applies to MIEMSS)
Imagine that through your work, you become aware of a family under substantial financial hardship. You believe that kindhearted members of the community would provide help “if they only knew” of these circumstances. In order to tell this story you must get specific written authorization from the patients or their legal representatives that identifies whom you will tell. In addition, you may communicate only the minimum amount of information necessary to describe the need.

Note: This type of "outreach" should be approved in advance by departmental managers and supervisors and must be consistent with institutional policy.
3. Research Data:

HIPAA regulates how PHI may be obtained and used for research. This is true whether the PHI is completely identifiable or partially "de-identified" in a limited data set.

A researcher or healthcare provider is not entitled to use PHI in research without the appropriate HIPAA documentation, including an authorization or an institutionally approved waiver.

Approval of a waiver of the requirement for a written authorization by the patient is required from a federally registered Institutional Review Board.
4. Marketing and Fund Raising:

Without an authorization, MIEMSS may not use information about the medical treatment of an individual for targeted fundraising or marketing.
5. Business Associates:

An outside company or individual is a HIPAA Business Associate of MIEMSS when providing services involving PHI maintained by MIEMSS.

Under HIPAA, a Business Associate must:

- Enter into a Business Associate Agreement (sometimes called a BAA) with the covered entity or with another business associate;
- Use appropriate safeguards to prevent the use or disclosure of PHI other than as permitted by a contract with the covered entity;
- Notify the covered entity of any individual instances of a breach for which the Business Associate was responsible where PHI has been improperly accessed, used, or disclosed;
- Ensure that their employees and/or subcontractors receive HIPAA training; AND
- Protect PHI to the same degree as a covered entity.
6. Business Associates:

Business associates need to have business associate agreements with other business associates:
Quick Review:

Under HIPAA, patients have the right to:

- Receive a copy of the covered entities Notice of Privacy Practices
- Inspect and copy their healthcare records
- Ask for corrections of their health care records
- Receive accounting of when and with whom their PHI has been shared
- Restrict how their PHI is used and shared
- Authorize confidential communications of their PHI to others
- File a HIPAA complaint
MIEMSS may use or share only the minimum necessary information to perform its duties.

- Patients must sign an authorization form before a covered entity or business associate can release their PHI to a third-party not involved in providing health care or other activities provided by law.

- A researcher or healthcare provider is not entitled to use PHI in research without the appropriate HIPAA documentation.

- A Covered Entity must obtain an individual's specific authorization before using his or her PHI for marketing or fundraising.

- A contractor providing services involving PHI is called a Business Associate.

- A covered entity and business associate must enter into a Business Associate Agreement (BAA).
Quick Review:

• The Business Associate must enter a Business Associate Agreement with all of its Business Associates (which must be repeated on down the line) and its employees must receive HIPAA training.

• Business Associates must ensure that their employees or subcontractors sign a Business Associate Agreement and receive HIPAA training.

• HIPAA protections apply to a person's protected health information even after they have died.
Section 2: HIPAA Security Rule
The HIPAA Security Rule concentrates on safeguarding PHI by focusing on the confidentiality, integrity, and availability of PHI.

- Confidentiality means that data or information is not made available or disclosed to unauthorized persons or processes.

- Integrity means that data or information has not been altered or destroyed in an unauthorized manner.

- Availability means that data or information is accessible and useable upon demand only by an authorized person.
HIPAA Security Rule:

MIEMSS is required to have administrative, technical, and physical safeguards to protect the privacy of PHI.

Safeguards must:

• Protect PHI from accidental or intentional unauthorized use/disclosure in computer systems (including social networking sites such as Facebook, Twitter, and others) and work areas;

• Limit accidental disclosures (such as discussions in waiting rooms and hallways); and

• Include practices such as document shredding, locking doors and file storage areas, and use of passwords and codes for access.
Malicious Software:

Viruses, worms, spyware, and spam are examples of malicious software, sometimes known as "malware."

Employees should utilize antivirus and anti-spyware software and update it regularly. Safe internet browsing habits can also reduce the likelihood of an infection.

If the computer or mobile device you are using stores work-related Sensitive Information, personal use of the web is not recommended.
Viruses:

Another major threat to the MIEMSS information system and to your data is the computer virus.

- Viruses "infect" your computer by modifying how it operates and, in many cases, destroying data.

- Viruses spread to other machines by the actions of users, such as opening email attachments.

- Viruses can forward PHI to unauthorized persons by attaching themselves to documents, which are then emailed by the virus.

- Newer viruses have their own email engines, enabling them to send email without having to use an email client or server.

- Many viruses also install a "backdoor" on affected computer systems allowing for unauthorized access and collection of Sensitive Information.
Worms:

Worms are programs that can:

• Run independently without user action
• Spread complete working versions of themselves onto other computers on a network within seconds
• Quickly overwhelm computer resources with the potential for data destruction as well as unauthorized disclosure of Sensitive Information.
Spyware is software that is secretly loaded onto your computer, monitors your activities, and shares that information without your knowledge.

Malicious websites can install spyware on every computer that visits those sites.
Spam: Spam is an unsolicited or "junk" electronic mail message, regardless of content.

Spam usually takes the form of bulk advertising and may contain viruses, spyware, inappropriate material, or "scams."

Spam also clogs email systems.
Phishing is a particularly dangerous form of spam that seeks to trick users into revealing Sensitive Information, such as passwords. Keep in mind that IT will never ask you to disclose passwords, social security numbers or other Sensitive Information via email.
Before the letter had even been delivered, a top McCain foreign policy adviser got a phone call from a senior Chinese diplomat in Washington complaining about the correspondence.

The virus was delivered by a “phishing” email – outlining the “agenda” for an upcoming meeting — that circulated among top staffers and contained a zip file attachment with “malware,” a hidden malicious virus.

But it was no ordinary virus, said Alan Brill, the senior managing director of Kroll Solutions. The malware was “as sophisticated as anything we had seen” and was part of what he called “an infection chain” that replicated itself throughout the campaign’s computer system. It also was designed to stay buried in the computers for months, if not years, he said.
Safe Browsing Tips:

Safeguard Sensitive Information
• Look for signs of security when providing Sensitive Information (i.e., the web address starts with "https" or a padlock icon is displayed in the status bar).

Keep browser updated and use security settings
• Stay current with browser updates and application updates such as Adobe Flash and Acrobat.

• Enable browsing security settings to alert you to threats to your computer like popups, spyware, and malicious cookies.
Safe Browsing Tips:

Use security software
• There are a number of free and easily available software products to protect your computer from malware, spyware, and virus threats. Please talk to IT support personnel to find out which software best fits your needs.

Safe downloading and streaming
• When in doubt just don't do it! If a download looks too good to be true it might be malware.
• Downloaded files like software or other media can contain hidden malware.
• Streaming media Web sites might seem harmless, but watching or listening to streaming media may require downloading a special media player that could contain malware.
Reports of possible information privacy violations can be made to the MIEMSS Security Officer, Becki Byrd, and the MIEMSS Assistant Attorneys General.

Last year, Martin Memorial Center in Florida took disciplinary action against several employees for taking pictures of a shark attack victim with their cellular phones. Penalties for employees who took the photos ranged from written warnings and demotions to suspension.
MAY 21, 2013:

- Idaho State University (ISU) has agreed to pay $400,000 to the U.S. Department of Health Human Services (HHS) for violations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Security Rule. This settlement involves the breach of unsecured electronic protected health information (ePHI) of 17,500 individuals who were patients at an ISU clinic.

- The Office for Civil Rights (OCR) opened its investigation after ISU notified HHS that the ePHI of approximately 17,500 individuals was accessible at its Pocatello Family Medicine Clinic because an ISU server firewall was disabled. OCR investigators found that ISU did not apply proper security measures and policies to address risks to ePHI and did not have in place procedures for routine review of information system activity which could have detected the breach in the firewall much sooner. Overall, ISU failed to ensure the uniform implementation of required Security Rule protections at each of its covered clinics.
Peer to Peer (P2P)/File Sharing Programs:

Use of P2P programs on MIEMSS networks is prohibited.

- P2P programs frequently contain spyware and are used to share files that contain malware.

- P2P file sharing programs such as Morpheus, Kazaa, and Bit Torrent are commonly used to download unauthorized or illegal copies of copyrighted materials such as music or movies. They may also expose Sensitive Information to unauthorized individuals if not configured correctly.
Safe email use:

- When traveling, working from home, or using a mobile device, a MIEMSS employee whose work involves the transmission of PHI should encrypt the data UNLESS they use a VPN connection AND transmit data only to a destination within the MIEMSS network.

- Do not open email attachments if the message looks the least bit suspicious, even if you recognize the sender. "When in doubt, throw it out."

- Do not respond to "spam" — simply discard or delete it, even if it has an "unsubscribe" feature.
Password Control:

Many security breaches come from within an organization—and many of these occur because of bad password habits.

- Use strong passwords where possible (at least 8 characters, containing a combination of letters, numbers, and special characters).
- Change your passwords frequently (45-90 days) to prevent hackers from using automated tools to guess your password.
- It is a violation of MIEMSS Policy to share your password with anyone.

Electronic audit records track information based on activity associated with user IDs.
Password Management:

With the growing trend for websites and services to require visitors to create new user IDs and passwords to access the site, people are finding it difficult to safely manage a large number of accounts. One solution is to use a "password vault" which provides an easy method to store all of one's passwords in an encrypted format.
Against policy, a health clinic employee set his phone to "auto-forward" his clinic messages to his Google account. In addition, his supervisor sometimes sent assignments to his Google address. Also, the phone was not password protected.

While on vacation, the employee's phone "went missing." Eventually the phone was returned by a travel office, but no one knows who may have had possession of the device while it was not in the employee's control.

The employee violated HIPAA by housing and transmitting PHI to an unsecure device, creating a risk of breach that could require notification to each affected client/patient whose data was contained in the phone and possibly the government. There were also disciplinary implications for the employee and his supervisor.
Mobile Devices:

If you use mobile computing devices such as laptop PCs, PDAs such as iPads, iPhones, Palm Pilots, Blackberrys, Treos, or smart phones, or even regular cell phones to store and send information, be aware of the risks involved.

Employees should utilize the following security controls when storing and transmitting Sensitive Information:

- strong power-on passwords
- automatic log-off
- display screen lock at regular intervals while the device is inactive
- data encryption such as True Crypt or PGP

Never leave mobile computing devices unattended in unsecured areas. Immediately report the loss or theft of any mobile computing device to your supervisor and the MIEMSS Security Officer.
Stanford University Hospital Reports Fifth HIPAA Breach.

Healthcare IT News (6/14, McCann) reports, “Officials at Stanford University’s Lucile Packard Children’s Hospital are notifying nearly 13,000 patients that their protected health information has been compromised following the theft of a hospital laptop.” On May 8 “an employee notified the hospital... that an unencrypted laptop containing medical information on pediatric patients had been stolen from a badge-access controlled area of the hospital.” According to officials, “This is the fifth big HIPPA breach for Stanford University.”
Remote Access:

All computers and mobile devices used to connect to MIEMSS networks or systems from home or other off-site locations should meet the same minimum security standards that apply to your work PC.

You should:

• Make use of the Virtual Private Network (VPN) at home or off-site, and transmit PHI or PII only to locations within the MIEMSS network. Otherwise, sensitive data must be encrypted.

• Run Windows Update or the update feature of the particular operating system that you are using. Don't forget to also update your applications (e.g. QuickTime, Real Player, and your preferred web browser).

• Keep virus definitions current by using Live Update for Symantec AntiVirus or the automatic updater from the antivirus software you are using.

DO NOT let your antivirus subscription expire.
Remote Access:

A professor at Bowling Green University lost a computer USB flash drive (memory stick) with students' personal information in it. The files in the portable storage device contained Social Security numbers for about 200 students, together with names, grades, and university ID numbers for another 1600 students.

Whenever possible, avoid using external storage devices to store Sensitive Information. If you must, use encryption and:

• Use portable storage media only for transporting information, and not to permanently store information.
• Once you've used the information, erase it from the device.
• Consider attaching your memory stick to your key ring—you are less likely to lose your keys.
Employee Responsibilities:

• Access information only as necessary for your authorized job responsibilities.
• Keep your passwords confidential.
• Report promptly to your supervisor and the MIEMSS HIPAA Security Officer the loss or misuse of MIEMSS information
• Initiate appropriate actions when problems are identified.
• Comply with MIEMSS Information Security and Privacy policies.
• Avoid storing Sensitive Information on mobile devices and portable media, and if you must, make sure the device is encrypted.
• Always keep portable devices physically secure to prevent theft and unauthorized access.
Communications in Public Areas:

Be aware of your surroundings when discussing Sensitive Information, including PHI. Do not discuss Sensitive Information or PHI in public areas such as in cafeterias or restaurants, while walking outside, or while riding the bus.

Use caution when conducting conversations in:

- semi-private rooms
- waiting rooms
- corridors
- elevators and stairwells
- open treatment areas
Reality Check:

Be careful when disposing of desks, file cabinets and other office furniture that may hold documents in them. Please check them carefully and confirm that all documents have been removed and properly disposed of before sending furniture to the DGS Surplus department.
Physical Security:

Breaches of MIEMSS policies or an individual's confidentiality **must be reported** to the employee's supervisor **AND** one of the following persons:

- MIEMSS Security Officer
- MIEMSS AAG

MIEMSS is required to take reasonable steps to lessen harmful effects of any breach. This may include notifying the individual whose information has been breached and the entity whose data has been breached. The HITECH Act requires that covered entities report breaches of PHI to the Secretary of Health and Human Services at least once a year.
Disciplinary Actions:

Individuals who violate MIEMSS Information Security Policy will be subject to appropriate disciplinary action as outlined in accordance with Maryland State employee laws and regulations, as well as possible criminal or civil penalties.
**Best Practice Reminders:**

- **DO** keep computer sign-on codes and passwords secret and **DO NOT** allow unauthorized persons access to your computer. Also, use locked screensavers for added privacy.

- **DO** keep notes, files, memory sticks, and computers in a secure place, and be careful to **NOT** leave them in open areas outside your workplace, such as a library, cafeteria, or airport.

- **DO NOT** place PHI on a mobile device without required approval. **DO** encrypt mobile devices that contain PHI.

- **DO** hold discussions of PHI in private areas and for job-related reasons only. Also, be aware of places where others might overhear conversations, such as in reception areas.
Best Practice Reminders:

• **DO** make certain when mailing documents that no Sensitive Information is shown on postcards or through envelope windows, and that envelopes are closed securely.

• **DO NOT** use unsealed campus mail envelopes when sending Sensitive Information to another employee.

• **DO** follow procedures for the proper disposal of Sensitive Information, such as shredding documents or using locked recycling drop boxes.

• When sending an e-mail, **DO NOT** include PHI or other sensitive information such as Social Security numbers, unless you have encryption on your computer or e-mail.
Questions?

Contact the Office of the Assistant Attorney General
or MIEMSS Security Officer
HIPAA: Privacy and Security Training Module

Certification

for

MIEMSS Annual Training

Covering

HIPAA, Maryland Medical Record Confidentiality, and

Confidential Records in General

I completed the MIEMSS HIPAA: Privacy and Security Training Module on

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Date

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Signature

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Printed Name

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Date signed