



**COMPLIANCE ALERT
SCHOOLS, HEALTHCARE & GOVERNMENT
4th Quarter 2007**

**FED'S BEGIN 2008 WITH STRONG EMPHASIS ON PRIVACY
AND HIPAA COMPLIANCE**

Recent enforcement activity related to privacy and security issues and the Health Insurance Portability and Accountability Act (HIPAA) regulations shows a clear emphasis and intent on the part of the Federal Government to escalate the levels of enforcement in the near future. Any organization that is subject to the regulations, including healthcare, businesses, government or educational institutions should evaluate their compliance efforts to reduce the risks of penalties associated with non-compliance.

Two recent developments have occurred that could have a major impact on compliance and enforcement.

1) In the first development, CMS has contracted with PricewaterhouseCoopers to conduct "reviews" on organizations that have pending complaints of HIPAA violations with the government. This review or audit activity could be significantly expanded in the future. See the following article from a recent "Health IT Strategist" newsletter:

PricewaterhouseCoopers hired for HIPAA reviews

The CMS has hired the consulting firm of PricewaterhouseCoopers to perform a series of compliance reviews of hospitals regarding adherence to the security rule under the administrative simplification section of the Health Insurance Portability and Accountability Act of 1996.

The CMS was given the authority to enforce the security rule. The rule applies to HIPAA "covered entities," i.e., plans, providers and claims clearinghouses. The compliance deadline for most covered entities was April 20, 2005. Since then, the CMS has received more than 200 complaints about possible security rule violations.

Pricewaterhouse could be assigned between 10 and 20 facilities against which security complaints have been lodged, according to Karen Trudel, deputy director of electronic health standards and services at the CMS.

"We're not calling them audits, we're calling them compliance reviews," Trudel said. The reviews also will have an educational component, she said.

The amount of the contract or its duration were not immediately available. An

official from Pricewaterhouse was unavailable for comment at deadline. The contract comes at a time when security breaches are rampant in healthcare and other industries and when the Office of Inspector General at HHS is looking into how the CMS handles its enforcement duties regarding the HIPAA security rule. -- by Joseph Conn / HITS staff writer

2) The second major development is that a Senate bill has been proposed to strengthen privacy enforcement and HIPAA. It is called "HIPSA".

Below is an article on the bill and the bill itself.

The bill contains language that expands the right of citizens to file individual lawsuits for privacy violations, increases the amount of fines for violations and mandates annual audits of compliance in organizations. This bill also brings into play the potential for "debarment" in some cases which would involve the loss of Federal funding and prohibition of doing business with any entity that receives Federal funds.

An overview of the bill is in the following article. . .

<http://www.bizjournals.com/memphis/stories/2007/10/22/focus4.html>

and the bill can be found at this link:

[http://thomas.loc.gov/cgi-bin/query/z?c110:S.1814:](http://thomas.loc.gov/cgi-bin/query/z?c110:S.1814)

"JOB FUNCTION" SPECIFIC TRAINING FOR HIPAA COMPLIANCE IN SCHOOLS, GOVERNMENT & HEALTHCARE



HIPAA training in public entities, including school districts, local government and healthcare organizations, should be "job function" specific and comprehensive in content. HIPAA Solutions, LC provides a wide range of customized training for specific job functions in schools and government entities. The HIPAA Solutions experts have conducted in service training for programs in healthcare organizations, individual school districts and local government organizations. In addition, training has been provided through regional educational service centers for client school districts.

Seminars are available for Human Resources, Privacy Officers, Risk Managers, Administrators and Managers, Nurses, Counselors, Special Education and Elected Officials. Contact us today to learn more about these quality training programs.

HIPAA ComplyPAK© - Compliance Resource



HIPAA Solutions, LC provides comprehensive, easy-to-implement and cost-effective resources for compliance targeted to specific requirements of the Health Insurance Portability and Accountability Act (HIPAA). The resources are contained in a suite of tools and software called the **HIPAA ComplyPAK®**.

ComplyPAK is based on a multi-faceted, reliable and comprehensive approach that allows organizations to "self-implement" solutions targeted to specific requirements of HIPAA while reducing costs and complexity of compliance. Basically, ComplyPAK "automates compliance". The **PHI Locator® (PHIL)** is a software component of ComplyPAK that allows an organization to efficiently locate and track the uses of Protected Health Information (PHI). Contact HIPAA Solutions, LC for a briefing or free webinar on ComplyPAK.

"BID COMPLIANT" STATUS MAKES PURCHASING COMPLYPAK EASY

HIPAA Solutions is pleased to announce that it is now a "Bid Compliant" contractor with [The Cooperative Purchasing Network \(TCPN\)](#). School districts and public organizations are now able to acquire HIPAA Solutions, LC products and services through TCPN. This significantly improves the ability of school districts to implement the HIPAA ComplyPAK as a resource to address compliance issues related to the Federal Privacy and Security regulations in HIPAA that impact schools & universities, healthcare providers, government entities and businesses.

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