

An HCCA Web Conference

Health Information Security & Data Breach Under HITECH Act

September 17, 2009 | 12:00 pm CT | 90 minutes



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Health care providers, health plans, health clearinghouses and their business associates must start complying with new federal health information data breach notification rules on September 24, 2009 released by the Department of Health and Human Services (HHS) on August 19, 2009.

The Health Care Compliance Association invites you to catch up on what these new rules mean for your organization and how it must respond by participating in the “Health Information Security & Data Breach Under HITECH Act” Web conference. The briefing will cover:

- Who must comply
- How to qualify protected health information as exempt from breach regulations as “secure”
- What is considered a breach of unsecured protected health information
- What steps must a covered entity take if a breach of unsecured protected information happens
- What liabilities do covered entities face for non-compliance
- Interrelationship of the breach regulation with impending FTC red flag rules
- Other recent developments
- Practical tips for assessing, planning and moving to compliance
- Participant questions
- More

These new “Breach Notification For Unsecured Protected Health Information” regulation (Breach Regulation) require health care providers, health plans, health care clearinghouses and their business associates (Covered Entities) covered under the personal health information privacy and security rules of the Health Insurance Portability & Accountability (HIPAA) to provide certain breach notifications following a “breach” of “unsecured” protected health information beginning September 24, 2009. The Breach Regulation is part of a series of guidance that HHS is issuing to implement new and stricter personal health information privacy and data security requirements for Covered Entities added to HIPAA under the Health Information Technology for Economic and Clinical Health (HITECH) Act signed into law on February 17, 2009 as part of American Recovery and Reinvestment Act of 2009 (ARRA).

The Breach Regulation will obligate Covered Entities and business associates to provide certain notifications following a breach of “protected health information” that not secured at the time of the breach through the use of a technology or methodology meeting minimum standards issued by HHS pursuant to other provisions of the HITECH Act. Under the HITECH Act, the breach notification obligations contained in the Breach Notification only apply to a breach of “unsecured protected health information.” The Breach Regulation exempts breaches of protected health information that qualify as “secured” under separately issued HHS and Federal Trade Commission (FTC) standards for encryption and destruction of protected health information from its breach notification requirements.

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