

## **HIPAA Violation Fines Levied by HHS**

**This past year, in lectures, meetings and consultations with our clients, we have outlined the extremely important process of becoming HIPAA compliant. Since 2009, there have been some substantial changes in the HIPAA law, and as a result, the Civil Rights Division of Health and Human Services [HHS] has become more aggressive with levying fines for HIPAA violations.**

**Example of recent decisions:**

**-October 20, 2010, healthcare provider was fined \$1,300,000.00 million for denying patients access to their medical records. [The HIPAA Privacy Rule requires that a covered entity provide a patient with a copy of their medical records within 30 (and no later than 60) days of the patient's request].**

**-Healthcare provider fined \$1,000,000.00 to settle potential violations of the HIPAA Privacy Rule as a result of an impermissible disclosure of patient information. An employee for a healthcare provider lost patient records while commuting to work].**

**-On December 13, 2010, healthcare provider fined \$35,000.00 for improper disclosure of patient information for marketing purposes.**

**The days of having a patient simply sign a "HIPAA Privacy Notice", along with signing two (2) HIPAA privacy forms are LONG GONE. Now, the requirements consist of a HIPAA Security Manual, HIPAA Policy Manual, Risk Analysis, Breach Notification Requirements, Disaster Recovery Plan, the execution of Business Associate Agreements, just to name a few.**

**As we continue to quickly move through 2011, now is an excellent time to review your office procedures to ensure that you are aware of the HIPAA changes that took place in 2009, 2010, and the changes that will take place through 2013.**

**A little ounce of prevention will prevent a lot of headaches down the road.**