

HIPAA COMPLIANCE

The 600 Pound Gorilla Has Arrived

Within the last eighteen (18) months, there have been some significant changes in HIPAA compliance that every dental practice must be aware of. The failure to be well informed could be costly.

Effective July 2009, the actual enforcement for HIPAA violations was delegated to the Health and Human Resources Office of Civil Rights (OCR). With extensive funding in place as a result of the American Recovery and Reinvestment Act of February 17, 2009, OCR is becoming very aggressive in their enforcement of HIPAA compliance.

With the new 2010 HITECH Act, Health and Human Resources (OCR) has the authority to levy extensive fines for HIPAA violations.

Actual HIPAA compliance is very complex, and can be overwhelming. If your dental office does not also have a HIPAA Security Manual, HIPAA Policy and Procedure Manual, Business Associate Agreement, Disaster Recovery Plan, Breach Notification Plan, just to name a "few" of HIPAA's complex requirements, your office is not HIPAA compliant.

Simply stated, if you are not aware of or familiar with the Federal Standards for Privacy of Individually Identifiable Health Information and/or the Security Standards for the Protection of Electronic Protected Health Information (45 Code of Federal Regulations (C.F.R.) Parts 160 and 164, Subparts A, C, and E, the Privacy and Security Rules), then you are probably not in HIPAA compliance. The failure to be in compliance is a dangerous, self-imposed risk.

For many offices, HIPAA compliance consists of a patient signing three (3) pieces of paper. Those days are "long" gone. The failure to be HIPAA compliant is an absolute disaster waiting to happen.

In order to ensure your office is in HIPAA compliance, every office should complete the "required" HIPAA Risk Analysis. If you are not aware of the required Risk Analysis or if you have not prepared a mandatory Risk Analysis Report, then you are probably not HIPAA compliant.

An ounce of prevention can save a lot of headaches down the road.

If you have any questions as to whether your office is in HIPAA compliance, please feel free to call.