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## Educate Yourself and Your Office Staff About HIPAA Privacy Provisions

Recently a former UCLA Healthcare System employee was sentenced to four months in federal prison for violating the federal privacy provisions of the Health Insurance Portability and Accountability Act (HIPAA). The employee pled guilty to four misdemeanor counts of violating HIPAA by illegally reading private and confidential medical records, mostly for celebrities and other high-profile patients (*AHA News Now*, April 29, 2010)

Physicians should have policies in place to educate their office staff on HIPAA privacy provisions. The policies should address:

- the roles and responsibilities of each staff member in protecting a patient's privacy and keeping health information secure in your office
- which staff members should access patients' medical and financial information and who should not
- restrictions related to sharing a patient's Protected Health Information (PHI) only with people who need to know (i.e. insurance providers, other physicians, or other staff)

The Health Information Technology for Economic and Clinical Health Act (HITECH) Act includes provisions for heightened enforcement of HIPAA and stiffer penalties for privacy and security violations. The HITECH Act provides that if an individual fails to protect the patients' privacy expectation and there is an unauthorized use or disclosure of a patient's PHI, that individual/employee, has violated HIPAA and can be individually fined up to \$250,000 and imprisoned for up to 10 years.

Information about HIPAA and HITECH can be found on the U.S. Department of Health & Human Services [website](#). Additionally, you may download the California Medical Association's article "[Practical Steps Practices Can Take to Ensure HIPAA Compliance](#)," or you can purchase the HIPAA Compliance ToolKit CD-ROM through the California Medical Association [bookstore](#).

Authored by  
Ann Whitehead, RN, JD  
CAP Risk Management & Patient Safety Department

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