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Avoiding HIPAA Violation

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Introduction

- The Health Insurance Portability and Accountability Act (HIPAA) of 1996 is a federal law that aims to guard patient's sensitive data against being disclosed to a third party without their knowledge
- HIPAA violation refers to any activity of an organization or employee that interferes with the confidentiality, integrity, and availability of a patient's health information.
- Violation of this act may lead to huge fines on the concerned healthcare provider or organization.
- Every healthcare provider and organization needs to prevent violations of this act.



Actions Leading to HIPAA violation

- There are various actions that lead to HIPAA violation such as:
 - a) Preventing patients from accessing their health information.
 - b) Failing to implement strategies of protecting against cyberattacks in a healthcare organization.
 - c) Unauthorized disclosure of health information.



Actions Leading to HIPAA Violation

- d) Improper storage and disposal of records containing Protected Health Information (TherpyNotes, 2019).
- e) Inadequate analysis of possible hospital risk
- f) Lack of policies to guide how patient information is protected



The Prevalence of HIPAA Violation

- Between 2009 and 2020, the United States experienced over 3700 healthcare data breaches (HIPAA Seal of Compliance Group, 2021).
- In 2019, 50 employees of Northwestern Memorial Hospital were fired for accessing unauthorized patient's medical records (Dyrda, 2020).
- In 2020, Ann and Robert Lurie Children's Hospital of Chicago reported an employee who accessed more than 4700 patient information without any treatment-related objective (Dyrda, 2020).



Preventing HIPAA Violation in My Current Setting (Acute Care)

- Statically, HIPAA violation is common in the United States.
- One of the ways to prevent HIPAA violation is never to send electronically protected health information (ePHI) via text messages.
- Text message communication is a fast and simple method of communication with anyone, including healthcare workers, it can lead to unauthorized access to the information (Dyrda, 2020).



How Not Texting Patient Data Prevent HIPAA Violation

- Not texting patient data alleviates disclosure of ePHI to unauthorized persons.
- Unauthorized health information disclosure by messaging services such as SMS, WhatsApp, and Facebook Messenger occur because these tools do not have the required controls..
- To send ePHI messages, one should use permitted channels such as healthcare text messaging services which are encrypted and have authentication controls.



Benefits of HIPAA compliance in a Medsurg setting

- Working as a Medsurg involves handling many patients and HIPAA compliance has many benefits in this setting such as:
 - a) Improving patient's trust.
 - b) Preventing job termination
 - c) Preventing falling victim of criminal charges and fines.



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References

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