



“Somehow your medical records got faxed to a complete stranger. He has no idea what’s wrong with you either.”

Gordon Bleil

Melody Dungee

Tony Fonze

Group 3

CASE STUDY 1

Summary of Incidents

What if circumstances were different?
(Neighbor is an employee)

Are there any incidental disclosures?

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Privacy concerns

Context

Perpetrator – possible employee?

Opportunity for policy review

Data

What we know

What we need to know

Evaluation

Remedies and Mitigation

Cost

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- What would constitute a breach?
 - If download of 510 records, by an employee, had no purpose satisfied by Treatment, Payment, Operations (TCO)
- Breach Requirements (HHS Interim Final Rule)
 - Covered entity must notify each affected individual
 - Notice to the Secretary via OCR Website
 - Perform a Risk Assessment
 - If >500 patients, notify media (television, newspaper)
 - Notifications must occur within 60 calendar days. But should be at earliest opportunity
 - Possibility of Sanctions

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Definition of an incidental disclosure

Were any found?

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Questions?

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