

Hospitals May Rethink Records Storage Policy

Massachusetts General Hospital paid \$1 million to settle suit when records were lost on the subway.

BY JANE ANDERSON

Hospitals and hospitalists should expect more aggressive enforcement of protected health information regulations following a \$1 million settlement paid by Massachusetts General Physicians Organization Inc. over documents on 192 patients left on the subway by a MassGen employee, a top hospitalist says.

The payment – part of an agreement between MassGen and the U.S. Health and Human Services Department over “potential violations” of HIPAA rules – came at the same time as HHS issued its first civil money penalty for violations of

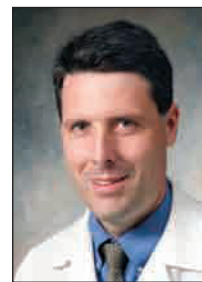
the privacy act. The \$4.3 million civil money penalty involved Cignet Health Care, a Maryland-based clinic, which HHS found had violated 41 patients’ rights by failing to provide them with access to their own medical records.

The two high-dollar enforcement moves by HHS indicate more aggressive enforcement of HIPAA is coming, according to Dr. Chad Whelan, director of the division of hospital medicine at Loyola University Chicago, Maywood.

“Given the large fines and the high-profile institution [MassGen] affected, it sure seems like they are sending a message,” he said in an interview. “I would fully expect more stringent enforcement

in the coming years, and we will likely see more payouts.”

To safeguard themselves from violating HIPAA, physicians and hospitals need to take a hard look at their policies regarding electronic storage and transmission of protected health information across multiple electronic devices, especially smartphones and tablet-style electronic devices, Dr. Whelan said.



The benefits of electronic data storage should not be lost while trying to reduce risk of HIPAA violation.

DR. WHELAN

property for work purposes.

The organization also said it will issue new or revised policies and procedures dealing with laptop encryption and USB drive encryption.

“After these policies and procedures are issued, we will be providing mandatory training on them,” the hospital said. “All members of our workforce must participate in the training and certify that they have completed it.”

It’s very unusual for an employee to intentionally violate HIPAA, but it’s the inadvertent violations that potentially can cause trouble, according to Dr. Whelan.

“It is far more likely that a well-meaning employee simply forgets the basics of patient protection on a device and then accidentally misplaces the device, leaving it open for anyone with basic computer skills to access,” he said.

Traditional concern has been focused on data stored on portable computer hardware, such as hard drives, CDs, and laptops, he said.

But “with the increased availability of electronic medical records, it will only become easier to have information about patients in portable formats.

With paper, it was difficult to carry records of hundreds of patients around. Now, it is remarkably easy.”

The explosion of extremely portable devices such as smart phones and iPads poses new risks, Dr. Whelan said.

“How many people have patient information stored or accessible through these omnipresent devices?”

Certainly, patient information that has been sent through e-mail is easily accessed through a smartphone.

Hospitals need to develop policies around encryption and support end users in encrypting the multiple devices they may use to levels that are acceptable to HHS.”

In order to better safeguard protected data concerning patients’ medical records and other health-related matters covered by HIPAA, hospitals need to have enterprise-wide programs in data information management.

But hospitals need to take HIPAA compliance a step farther. Hospitals also need to help employees make certain any data-storage or transmission devices they use are HIPAA-compliant, according to Dr. Whelan.

“Hospitalists should be involved in both policy development and process implementation to assure that the benefits of electronic data storage are not lost in order to reduce the risk of HIPAA violation,” he added. ■

VERBATIM

Rheumatologists ‘should lead the way in eliminating the use of eponymous titles for diseases. They can reflect historical inaccuracies, jingoism, and political influence, and accord legitimacy to tainted and unethical research.’

Dr. Eric L. Matteson on the need to rename Wegener’s granulomatosis to erase the taint of Wegener’s Nazi loyalty, p. 2.

CLASSIFIEDS

www.rheumatologynews.com

PROFESSIONAL OPPORTUNITIES

FARMINGTON, NM - San Juan Regional Medical Center is recruiting for a BC/BE **Rheumatologist Physician** to join a multispecialty group or private practice. Practice IM and Rheumatology while building 100% Rheumatology. SJRMC is a level III trauma center with a Hospitalist program that manages inpatients if desired. Competitive salary with productivity bonus and excellent benefits. The Four Corners area of New Mexico offers recreational activities including World-Class skiing, fly fishing, biking, golfing, hiking and more! Contact Terri Smith at 888-282-6591, tsmith@sjrnc.net www.sanjuanregional.com www.sjrncdocs.com

Moving?

Look to Classified Notices for practices available in your area.

Disclaimer

RHEUMATOLOGY NEWS assumes the statements made in classified advertisements are accurate, but cannot investigate the statements and assumes no responsibility or liability concerning their content. The Publisher reserves the right to decline, withdraw, or edit advertisements. Every effort will be made to avoid mistakes, but responsibility cannot be accepted for clerical or printer errors.

RHEUMATOLOGY - Connecticut – Central Connecticut – Excellent earnings potential. Sign on bonus/ relocation ! Great opportunity join hospital based practice. Located in desirable area with easy access to Hartford and Connecticut seacoast, and only 1 hour to New York city. State of the art technology. | Electronic Health Records. excellent growth potential. No competition in the area. Competitive salary and benefits package.

RHEUMATOLOGY - Massachusetts – South of Boston/ minutes to coast. Join reputable group 20 minutes Boston. Practice IM and Rheumatology while building 100% Rheumatology. 60 physician group with 6 office locations. All desirable communities practice live. Unbeatable salary and benefits. electronic medical records.

Lori B. Leo, Principal
New England Physician Center-Boston
Tel: 781-829-2250
Fax: 781-829-2276
Email: lorileo@neprc.com

For information on Classifieds,
contact Karon Hunley, (812) 212-0061.
Email ad to: karon@run-ads.com