Health Care Data Breach Notification Process

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Upon discovery or suspect of a breach covered entity (CE) must treat the breach as discovered. This will start the notification clock. In case of a breach event, affected individuals must be notified with a written notice on all cases in a period no longer than 90 calendar days. The notification should include: a brief description; the types of unsecured health information involved; steps to follow; brief description investigation, leverage measures and preventive measures; and, contact procedures for individuals (toll-free number, e-mail address, website, or postal address) (U.S. Department of Health & Human Services, 2013). In case of breach event of less than 10 individuals, CE can provide a substitute notice through alternative means (written notice, telephone, or other). In case of a breach event that involves more than 10 individuals, CE can post notice on his website or through a noticeable hyperlink. CE is also required to provide a toll-free phone number that should be active for 90 days. In the case of large groups of affected individuals on different jurisdictions or States, a notification should be done over prominent media outlets serving the State or jurisdiction of the affected individuals (U.S. Department of Health & Human Services, 2013).

In case of breach events that involve less than 500 individuals, CE must maintain a log or other documentation of the breaches. This information should be submitted annually and no later than 60 days after the end of the calendar year to the Department of Health and Human Services (U.S. Department of Health & Human Services, 2013). In case of a breach affecting more than 500 individuals, the CE must provide notification to the secretary immediately through the website provided by HHS (U.S. Department of Health & Human Services, 2013). The steps for the breach notification are described in the Figure 1. Reporting HIPAA Breach Event Cross Functional Flow Chart.

References

U.S. Department of Health & Human Services. (2013, July 26). *HITECH Breach Notification Interim Final Rule.* Retrieved from Health Information Policy: https://www.gpo.gov/fdsys/pkg/FR-2009-08-24/pdf/E9-20169.pdf

Reporting HIPAA Breach Event Cross Functional Flow Chart



Figure . Reporting HIPAA Breach Event Cross Functional Flow Chart

This chart enumerates and describes the steps necessary during a breach notification for different number of groups of individuals, based upon the *HITECH Breach Notification Interim Final Rule* (U.S. Department of Health & Human Services, 2013)*.*