Links

Link to U.S. Department of Health and Human Services Office of Civil Rights:

http://www.hhs.gov/ocr/privacy/index.html

Link to TCA: (scroll to Title 33)

http://www.michie.com/tennessee/lpext.dll

Link to title 45 Code of Federal Regulations (CFR) Parts 160, 162, 164

https://www.ihs.gov/privacyact/includes/the mes/responsive2017/display_objects/docume nts/PvcFR01.pdf

Link to 2008 recourse guide for implementing HIPAA Security Rule:

https://www.nist.gov/healthcare/security/hip aa-security-rule

Link to text of American Recovery and Reinvestment Act of 2009:
(scroll to page 112-165 Title XIII Subtitle D-
Privacy begins on page 144)

http://frwebgate.access.gpo.gov/cgi- bin/getdoc.cgi?dbname=111_cong_bills&doci d=f:h1enr.pdf

Additional Information

For assistance contact:

Each Regional Office of the Department of Health and Human Services offers guidance and education related to Federal privacy and security requirements for protected health information:

U.S. Department of Health and Human Services
Office for Civil Rights
Atlanta Federal Center, Suite 16T70
61 Forsyth Street, S.W. Atlanta, GA 30303-8909
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD : (800) 537-7697
Email: ocrmail@hhs.gov

Department of Intellectual and Developmental Disabilities
Privacy Officer
UBS Tower, 8th Floor
315 Deaderick Street
Nashville, Tennessee 37243
1-800-535-9725 (Phone)
1-615-532-9940 (Fax)

The Department of Intellectual and Developmental Disabilities (DIDD) is a Covered entity under the Federal HIPAA Law.
New HIPAA Amendments

Business Associates will need to have written policies and procedures just like covered entities and will be subject to the same civil and criminal penalties for violations.

Several major items for Providers

- Develop Policies/Procedures (including a release form).
- Designate a privacy official (HIPAA Officer).
- Train the workforce (includes staff as well as volunteers, seasonal staff, etc.).
- Note in the policy what will be done when a violations occurs.
- Develop and distribute a privacy notice for persons served.
- Notify DIDD & TennCare in the case of breach of protected health information.
- Maintain contact with legal counsel to ensure federal regulations are followed.
- All of the HIPAA Administrative Simplification Rules are located at 45 CFR Parts 160, 162, and 164.

The Privacy Rule provides federal protections for personal health information held by covered entities and gives persons served an array of rights with respect to that information. At the same time, the Privacy Rule is balanced so that it permits the disclosure of personal health information needed for the person’s care and other important purposes.

Protected Health Information (PHI) may not be used or disclosed except as permitted or required by the Privacy Rule.

DIDD and Providers are subject to federal review and sanctioning when appropriate.

Unauthorized release of information may result in disciplinary action depending on the severity of the action. Fines as well as criminal charges can be brought against violators of HIPAA rules.