HIPAA Tip Sheet: Breach Reporting
Time is of the Essence

Whenever you become aware of a possible HIPAA breach, report it **immediately** to your supervisor and Compliance, who will investigate the incident promptly as required by law. The Compliance team is required to notify patients/members, the Office of Civil Rights (OCR), and other government entities within a timely manner. Corrective measures must be established to prevent incident recurrence.

What is a HIPAA breach?

A HIPAA breach is an acquisition, access, use or disclosure of protected health information (PHI) in a manner not permitted by HIPAA Privacy Regulations that compromises the security or privacy of PHI.

For Example:
- A patient/member's medical record was mailed to the wrong address
- A clinician sends an email containing PHI to the wrong recipient
- Computer hacking by bad actors
- Employee accesses the PHI of a family member without written authorization
- A list of patients/members including diagnoses and insurance information was lost on the train

The following information is essential to our investigation:

Who *accessed, used or disclosed the PHI, and to whom?* Was it disclosed to another VNS Health employee, non-VNS Health employee, or others? How many patients/members were involved?

What *type of PHI was involved?* Did it involve demographic information such as patient/member name, address, DOB, etc.? Did it involve health information such as diagnoses, medications, etc. or sensitive information such as social security numbers, HIV information, substance abuse information etc.?

Where *did the incident occur?* Was it in a patient/member home? Was it on public transportation? Did it happen via email, fax, computer network, or social media?

When *did the incident happen?* Has the disclosure occurred over several weeks or on one particular day? Is it still happening or is it likely to happen again? How long has it been going on?

Why *did the disclosure or access occur?* Did it occur due a system error, workflow, or human error? Was there criminal intent?

How *was the information accessed, used, or disclosed?* Was the information accessed, used, or disclosed as a result of lost paper, misdirected email, theft, phishing, computer hacking, or posting on social media?

Tip: If you need to report a potential breach, please contact the HIPAA & Privacy Team at HIPAA@vnshealth.org

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For routine HIPAA questions, please contact the HIPAA and Privacy Team at their email: HIPAA@vnshealth.org
Report potential violations via web at www.vnshealth.ethicspoint.com or
via **VNS Health Compliance Hotline** at **1-888-634-1558**