



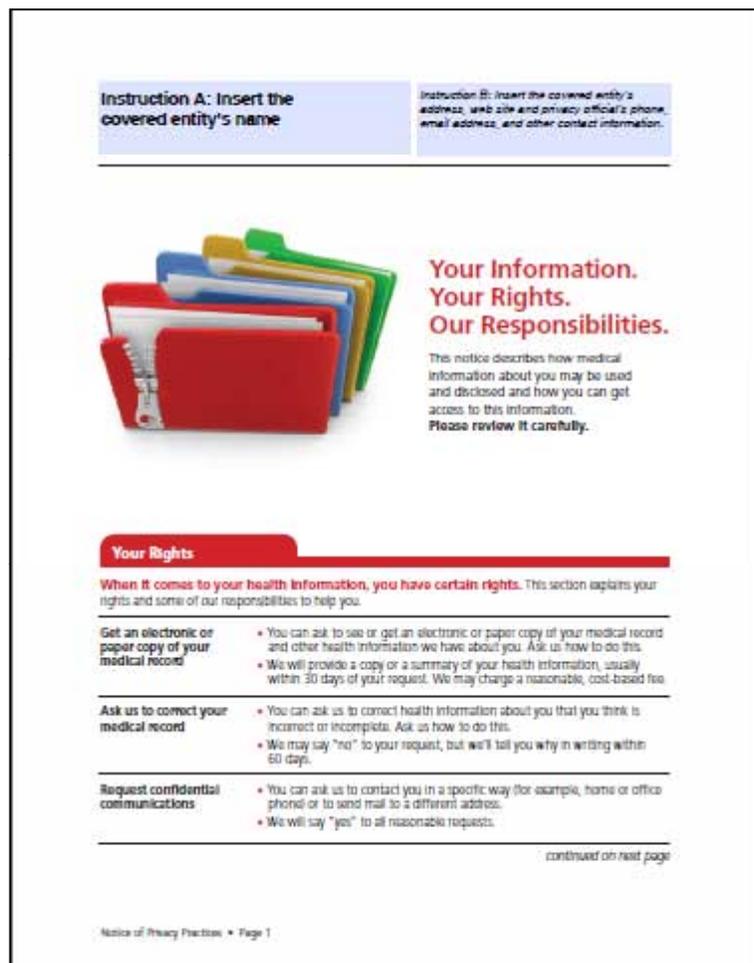
OCR Updates

Rachel Seeger

*U.S. Department of Health and Human Services
Office for Civil Rights*

*NCVHS Full Committee Meeting
Departmental Updates
November 13, 2013*

Model Notices of Privacy Practices



- Notice in the form of a booklet;
- A layered notice that presents a summary of the information on the first page, followed by the full content on the following pages;
- A notice with the design elements found in the booklet, but formatted for full page presentation.
- A text only version of the notice.

<http://www.hhs.gov/ocr/privacy/hipaa/modelnotices.html>

CLIA

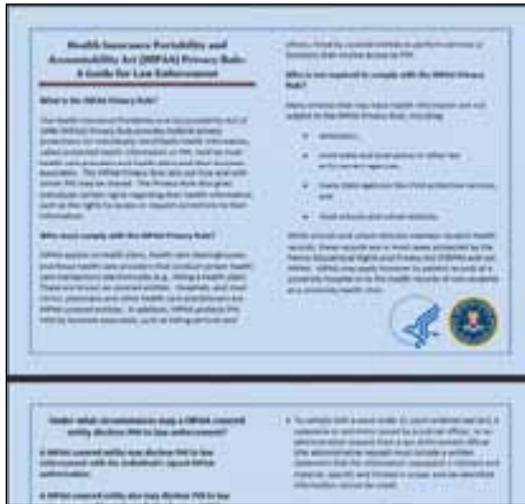
- September 14, 2013 delay in enforcement of HIPAA requirement for Certain CLIA and CLIA-exempt laboratories to revise their Notices of Privacy Practices (NPP)
- Final rulemaking for CLIA rules opening labs to access requirements for test results is at OMB for clearance
- Joint rulemaking with CMS

HIPAA and NICS NPRM

- April 19, 2013 issued ANPR on whether HIPAA prevents some states from reporting to the National Instant Criminal Background Check System (NICS)
- Over 2000 comments received
- NPRM is at OMB
- 60 day comment period when NPRM is published

HIPAA and Mental Health Disclosures

- Guidance requested at Congressional testimony April 16, 2013
- Disclosures to friends and family
- “Duty to Warn”



New HIPAA Privacy Rule Blue Card for Law Enforcement

- Developed in cooperation with the HHS Office of Assistant Secretary for Preparedness and Response and the Federal Bureau of Investigation
- Provides a basic description of the HIPAA Privacy Rule and identifies entities that are and are not required to comply.
- Outlines several disclosure permissions that allow the disclosure of health information to law enforcement in common law enforcement situations

Questions?