The Office of the National Coordinator for
Health Information Technology

ONC Privacy & Security Policy and Project Update

NCVHS February Committee Meeting
February 20th, 2014

Helen Caton-Peters, MSN, RN
Office of the Chief Privacy Officer

Office of the Chief Privacy Officer

The Office of the National Coordinator for
Health Information Technology

Today's Update

Policy Update:

- Accounting of Disclosures Transmittal
- Cybersecurity for Critical Infrastructure Framework
- White House Big Data Initiative

Projects Update:

- Update on OCPO projects
  - Data Segmentation for Privacy
  - Models of Notice of Privacy Practices (NPP)
  - Security Risk Assessment Tool

- The HIT Policy Committee recommends that HHS approach implementation in a step-wise or staged fashion, pursuing an initial pathway that is workable from both a policy and technology perspective.

- Consistent with this approach, the Policy Committee's recommendations focus on:

- The patients' rights to a report of disclosures *outside* the entity or organized health care arrangement (OHCA) and

- The patients' rights to an investigation of inappropriate accesses *inside* (i.e., inappropriate uses) the entity or within the OHCA.

Office of the National Coordinator for
Health Information Technology

Improving Critical Infrastructure Cybersecurity

- OCPO has coordinated a Listening Session titled "The New Federal Cybersecurity Framework and the Healthcare Sector" at HIMSS in Orlando, Florida on February 24th.

- Working with Stakeholders, the Federal Government developed a Framework that is flexible enough to fit all sectors while providing a uniform approach that aligns to existing standards, guidelines, and best practices

NIST Cybersecurity Framework

- Overall goal is to increase sharing on cybersecurity incidents between public and private sectors
- Work with stakeholders to develop a framework to reduce cyber risks
- Provide a common language for cyber risk that can be used to help identify and prioritize actions for reducing risk
- Not intended to supersede existing sector-specific security standards
- Takes into consideration the impact of cybersecurity on privacy and civil liberties

Big Data & The Future of Privacy

- The President requested a comprehensive review of
  - how "big data" will affect the way the American people live and work;
  - the relationship between government and citizens;
  - and how public and private sectors can spur innovation and maximize opportunities while minimizing risks to privacy.

- Joint effort across agencies including the US Dept. of Health and Human Services

THE WHITE HOUSE
WASHINGTON

- Standards were approved by HL7 and IHE
- Approval was at the highest level, known as "Normative" Standards

Models of Notice of Privacy Practices:
Spanish Version Released February 19th 2014!

The Office for Civil Rights (OCR) and Office of the National Coordinator for Health Information Technology (ONC) collaborated to develop model NPPs for covered entities to use:

✓ One set for health plans

✓ One set for health care providers
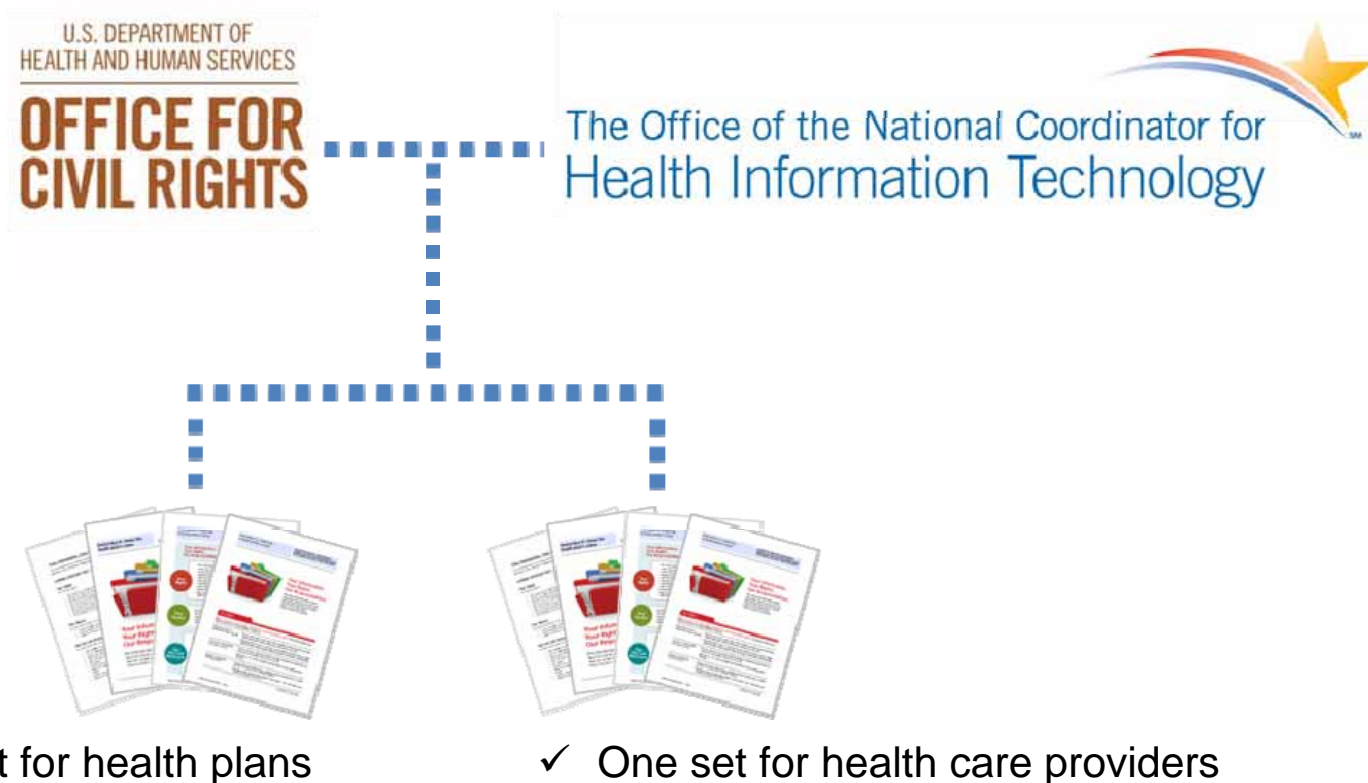
eNPP Challenge: OCR and ONC Partnership

- Designers will compete to develop an electronic version of a Notice of Privacy Practices that can be easily customized by providers and placed on their websites to better inform patients of their privacy rights

- By "crowd sourcing" the design, and including a public voting component, HHS hopes to develop an online notice with greater visual appeal, better usability, and one that patients will be more likely to read.

Submission period ends April 7th, 2014 and Review Panel determines winning entry in May. Winner receives $15,000

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

Coming Soon - Security Risk Assessment Tool

- Downloadable Risk Assessment Tool designed to guide providers through the Risk Assessment process.

- The tool includes resources to
  - understand the context of the question
  - examples of potential impacts to PHI if requirements aren't met
  - and includes actual safeguard language from the HIPAA Security Rule
  - In final stages of testing, release in March 2014 timeframe

www.HealthIT.gov/security-risk-assessment

Questions?