PRESS RELEASE

Unencrypted Thumb Drive Loss Leads to HIPAA Breach & Fine!

First HIPAA breach of a Covered Entity for lack of breach notification policies and procedures

Adult & Pediatric Dermatology, P.C. (APDerm) – December 27th, 2013: Under a settlement with the U.S. Department of Health and Human Services (HHS), APDerm has agreed to a $150,000 payment. APDerm is a private practice that delivers dermatology services in four locations in Massachusetts and two in New Hampshire. **This case marks the first settlement with a covered entity for not having policies and procedures in place to address the breach notification provisions of the Health Information Technology for Economic and Clinical Health (HITECH) Act.** *(Emphasis added.)*

The HHS Office for Civil Rights (OCR) opened an investigation of APDerm upon receiving a report that an unencrypted thumb drive containing the electronic protected health information (EPHI) of approximately 2,200 individuals was stolen from a vehicle of one its staff members. The thumb drive was never recovered. The investigation revealed that APDerm had not conducted an accurate and thorough analysis of the potential risks and vulnerabilities to the confidentiality of EPHI as part of its security management process. Further, APDerm did not fully comply with requirements of the Breach Notification Rule to have in place written policies and procedures and train workforce members.

In addition to a $150,000 resolution amount, the settlement includes a corrective action plan requiring APDerm to develop a risk analysis and risk management plan to address and mitigate any security risks and vulnerabilities, as well as to provide an implementation report to OCR.

http://www.hhs.gov/ocr/privacy/hipaa/enforcement/examples/apderm-agreement.html.

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ecfirst is the first organization in healthcare information technology that delivers complete end-to-end solutions for compliance and security. The ecfirst On Demand Consulting Program starts with a commitment of only 40 hours to address immediate HIPAA, HITECH compliance or security implementation challenges. The Managed Compliance Services Program (MCSP) is the first program of its type in the world that comprehensively addresses HIPAA and HITECH compliance requirements for risk analysis, technical vulnerability assessment, policies, training and remediation activities. The MCSP Program is delivered at a fixed monthly fee over a three year period with scheduled timelines for critical compliance mandates. We refer to the MCSP as *Get Compliant.* **Stay Compliant.**

Contact

ecfirst is best positioned to be your turn-key compliance and security solutions partner. Our seasoned Practice Team and guaranteed prices will serve you best in meeting compliance and security requirements. I look forward to hearing from you and to discussing how ecfirst can assist with jumpstarting your HIPAA and HITECH initiatives. Thanks!

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It is time to comply!

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