

HIPAA COMPLIANCE IN WASHINGTON STATE



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WA State Approach



- ❁ **Deputy Directors group on HIPAA**
- ❁ **Coordinated attorney general group to release single opinions for the state on HIPAA**
- ❁ **State agencies coordinating on decisions and responses to HIPAA:**
 - Department of Social & Health Services
 - Department of Health
 - Labor & Industries
 - Health Care Authority
 - Department of Corrections
 - Department of Veterans Administration
 - Superintendent of Public Instruction

WA State Approach

- ❖ Coordinate and integrate HIPAA compliance with existing related activities
 - ❖ WA already involved in many similar activities:
 - ❖ Security infrastructure (HAN, bioterrorism) and statewide ISB security standards
 - ❖ National Electronic Disease Surveillance System
 - ❖ Digital government (electronic transmission)
 - ❖ Governor's Executive Order on Privacy
 - ❖ Public health data standards

HIPAA Interagency Committees



❖ Interagency HIPAA Workgroup

- Formed to develop interagency comment to the HIPAA regulations
- Primarily information sharing, education, and discussion group re HIPAA issues and sharing knowledge and solutions across agencies

❖ Interagency HIPAA Privacy Workgroup

- Set up to discuss and work on privacy as a cross-cutting issue for all agencies
- May develop model policies and documents for use across agencies

HIPAA Interagency Committees



❖ Communications TAG

- Formed to promote, develop, and conduct awareness, education and training on HIPAA to state agency stakeholders
- Creates promotional and educational materials, conducts surveys, maintains state HIPAA website, responds to external questions on HIPAA, conducts presentations at state and national meetings and events
- Connects state HIPAA communications efforts with private sector activities

HIPAA Privacy Impacts



- ❖ WA law has many similar privacy provisions
- ❖ HIPAA increases penalties and adds consent requirement
- ❖ HIPAA imposes more internal health info management requirements
- ❖ State EO requires many agencies that are exempt from HIPAA to meet similar administrative requirements
- ❖ Good business practice—provide assurance to public, business partners, and stakeholders

Security Impacts



- ❖ HIPAA security requirements are generally just good practice—nothing new
- ❖ WA has set statewide security standards to meet the needs of digital government, which will be implemented in 2003
- ❖ HIPAA draft security requirements very similar to WA digital government security requirements
- ❖ Good business practice—provide assurance to public, business partners, and stakeholders

What's Worked



- ❖ Built knowledgeable staff and interagency communication early
- ❖ Good participation from the most affected agencies
- ❖ Strong state ties to key federal staff and HIPAA experts in many areas
- ❖ Solid groundwork achieved early
- ❖ Outreach and training to local governments

State Government Challenges



- ❖ Recent revenue projections worse than anticipated
- ❖ Lack of designated leadership
- ❖ Knowledge and skill base rests in a few people
- ❖ Loss of key HIPAA staff
- ❖ Leadership leaning towards minimal and conservative compliance efforts
- ❖ Lack of priority at highest level
- ❖ Security and BT have overridden all others

Private Sector



- ❖ CHITA is registered as a regional SNIP
- ❖ Primarily an educational effort with half day forums and topic-specific groups
- ❖ Has a subgroup working on implementation handbooks for transactions
- ❖ Additional trainings organized by some professional organizations (MA, HA)

Statewide Challenges



- ❖ Economic downturn
- ❖ Lack of coordinated communication to all affected
- ❖ Lack of effective coordination and leadership within and across sectors
- ❖ Lack of accurate information sources
- ❖ Local governments face significant cutbacks in essential services
- ❖ Many still not convinced of value—delay gave a reason to continue to ignore

State Resources



Washington HIPAA Website:

<https://wvs2.wa.gov/dshs/maa/dshshipaa/>

***CHITA (Community Health Information
Technology Alliance)***

www.chita.org

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