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
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://wws2.wa.gov/dshs/maa/dshshipaa/

CHITA (Community Health Information Technology Alliance)
www.chita.org
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