



Department of Health & Human Services  
Office of the National Coordinator for  
Health Information Technology

# ONC: Update on Privacy and Security Activities

October 4, 2010

Joy Pritts, J.D.  
Chief Privacy Officer

# ONC

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- **Duties of Office of Chief Privacy Officer**
- **Update-focusing on external activities**

# Chief Privacy Officer

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- **Position created in HITECH/ARRA**
- **Duty: Advise the National Coordinator on privacy, security, and data stewardship of electronic health information and to coordinate with other Federal agencies (and similar privacy officers in such agencies), with State and regional efforts, and with foreign countries with regard to the privacy, security, and data stewardship of electronic individually identifiable health information.**

# Office of the Chief Privacy Officer

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- **Deborah Lafky PhD**
  - Project Officer, Security
- **Melissa Goldstein, JD**
  - Senior Advisor on Privacy
- **Kathryn Marchesini, JD**
  - Policy Analyst
- **Scott Weinstein**
  - Legal intern

# HITPC Privacy and Security Tiger Team

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- **Health Information Technology Policy Committee, formerly Privacy and Security Workgroup**
- **Focus on issues raised by ONC programs as requiring prompt resolution**
- **Intense work schedule over the Summer**
- **Build upon prior NCVHS recommendations**
- **Take into account changed circumstances, e.g., new models of HIE**

# HITPC Privacy and Security Tiger Team

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- **First set of recommendations address:**
- **Core values that should guide privacy and security policy**
  - Relationship between patient and provider is a foundation for trust
  - For successful exchange, must earn trust of both consumers and providers
  - Others

# HITPC Privacy and Security Tiger Team

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## Core Recommendation

- **All entities participating in health information exchange should follow the full complement of fair information practices when handling personally identifiable health information.**

# HITPC Privacy and Security Tiger Team

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## Consent

- **When the decision to disclose or exchange a patient's identifiable health information from the provider's record is not controlled by the provider or the provider's organized health care arrangement, patients should be able to exercise meaningful consent to their participation in health information exchange.**
  - One time
  - Opt-in/opt out not as important as “meaningful”



# HITPC Privacy and Security Tiger Team

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- **Data segmentation from the technical view**
  - What is the current technology
  - How widely is it adopted
  - Costs
  - Workflow
- **Recommendation**
  - Promising technologies
  - Not quite ready for wide spread adoption
  - More research, demonstration projects needed

# HIT Policy Committee

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- **Adopted Tiger Teams' recommendations and forwarded them to ONC**
- **ONC has taken them under consideration**

# HITPC Privacy and Security Tiger Team

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- **Fall schedule--meet twice a month**
- **“Parking lot” issues (e.g., notice)**
- **Additional priority issues (e.g., provider authentication)**

# HITPC: Governance Workgroup

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- **HITECH Charge: National Coordinator shall establish a governance mechanism for the nationwide health information network.**
- **Privacy and security are factors**
- **Fall 2010 - Spring 2011**

# Federal Health IT Interagency Taskforce

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- **HHS (ONC)**
- **Agriculture**
- **Commerce**
- **Defense**
- **Veterans Affairs**
- **Social Security Administration**
- **Office Personnel Management**

# Federal Health IT Interagency Taskforce

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- **Cybersecurity Workgroup**
- **Led by Howard Schmidt, Cybersecurity Coordinator**
- **Identify best practices on security issues**

# Personal Health Records

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- **HITECH: Report to Congress, in consultation with FTC, on on privacy and security requirements for entities that are not covered entities or business associates, focus on personal health records**
- **Build on NCVHS work**
- **Focusing on emerging models of consumer-facing electronic health information systems**
- **Workshop in early December 2010**

# De-Identification Study

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- **Safe harbor method of de-identification under HIPAA**
- **Deborah Lafky presenting on Day II of the Summit**



# Privacy and Security Programmatic Support

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- **Regional Extension Centers**
- **State Health Information Exchange Program**
- **HIT Training**
- **Strategic Health IT Advanced Research Projects (SHARP) Program**
- **Nationwide Health Information Network**
- **Beacons**

# Privacy and Security: Next Steps

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- Continued privacy and security policy development
- Continued standards and certification work
- Increase outreach to other federal governmental agencies, especially in context of health care reform
- Increase outreach to state efforts

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**The End**