Monitoring HIPAA Compliance...

Fifth National HIPAA Summit West
September 21, 2011
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What We Will Cover...

- Answers to six honest questions that will move us toward compliance intelligence
- Relate the goals of compliance intelligence to the meaningful use of health information technology
- Provide a roadmap from reactive to proactive monitoring
- Relate the components of meaningful use to health information technology
What This Presentation Is Not About

The thoughtless spending and application of Information Technology
I KEEP six honest serving-men
(They taught me all I knew);
Their names are What and Why and When and How and Where and Who.

*The Elephant's Child*
Rudyard Kipling
1865-1936
Leading from good to great does not mean coming up with the answers and then motivating everyone to follow your messianic vision. It means having the *humility* to grasp the fact that you do not yet understand enough to have all of the answers and then to ask the questions that will lead to the *best possible insights.*

(Jim Collins, Good to Great)
“Readiness for change is one of the hardest problems we face”, Paul Tang, HIT Policy Committee Vice Chair and Palo Alto Medical Foundation Vice President and Chief Medical Information Officer.

“To realize our vision, we must foster a pervasive culture of innovation”, Douglas D. French, former Ascension Health President and Chief Executive Officer.
How and Where are We Monitoring Now?

- Use outdated point-in-time compliance tools
- Gather and review using manual tools
  - Voluminous data to audit, review and monitor
  - Complex data as systems and applications are diverse and numerous
  - Increased need personnel and expanding budget
- Use point-in-time check lists
- Answer standard questions, resulting in difficulties with aggregating and reporting

How and Where are We Monitoring Now?

- Stagnant versus “Dynamic”
- Primarily a manual process
- Re-invent the wheel
- In the blink of an eye any checked line can become non-compliant
  - Immediately out dated
- Low value proposition
  - Endless spending but never protect proactively
- In an un-sustainable manner
Why Should We Change?

- Escalating drivers
- Need better and faster tools
- Must have assurance of compliance based on solid information
- Need to be proactive with “hard wired” entity memory
- Leverage valid data
- Need different views of information
- Maturing technology
**How Can We Possibly Monitor and Be HIPAA Compliant All of the Time?**

**Major Hurdles**

Privacy is a business practice, the way we work
- Monitoring across the entire enterprise?
- Hundreds of patterns and behaviors to watch!

Security means keeping an eye on millions of events a day
- Can we install and ensure costly software or devices are compliant all of the time?
- Do we have resources to audit all of the events?
- Where is the money?
- How do we ensure nothing falls between the cracks?
What has Changed: Today's Privacy and Security Environment

- Medical Homes
- Primary Care Physician
- Personal Healthcare Records
- Medical Log
- Physician Portal
- Laboratories
- Medical Log
- Exercise Log
- Medical Homes
- EMR
- Patient
- Accountable Care Organizations
- Medical Homes
- Social Worker
- Outpatient Care
- Wellness Centers
- Medical Homes
- Pharmacy
- Emergency
- Payer
- Medical Records
- Clinical Image Records
**When** to Monitor? Now and Always

- Know your HIPAA Compliance Posture at all times
- Identify risks in real time
- Monitoring is a regular ongoing activity

**Is real time monitoring possible?**
What is the Next Generation of Monitoring?

Intelligent, Continuous Compliance Monitoring

Plan
Act
Do
Check
• Complete an enterprise assessment of the organizational readiness

• Evaluate the present situation, identify recommendations, and best practices to optimize the future state

• Identify obstacles, challenges, sources of issues, and needed changes

• Identify indicators of compliance reform and changes in order to maximize performance

• Create and heavily emphasize an EFFECTIVE & INNOVATIVE change management and communication plan

• Create a practical benefits realization plan
**What is the Roadmap to Compliance Intelligence?**

**Transformation**

- Alerts for timely decision and decision support tools
- Compliance Visibility
- Compliance Monitoring
- Business Practices & Information
- Security Incidents & Regulations

**Reactive**

- Check Box
- Audit Based “Stamp-in-Time”

**Proactive**

- Make timely decisions on actions to be taken
- Know compliance posture; investigate & act quickly
- Identify issues in advance; monitor behavior; advanced models of monitoring
- Analysis of events and compliance requirements
What is the Architecture?

- **Security Incidents and Events Data**
- **Business Operations Data**
- **Regulations Database**
- **Policies and Procedures**

Use Business Intelligence to Analyze Data

- Dashboard to Project Compliance Level
- Alert to Key Incidents
- Provide Management Capabilities for Events and Alerts
What Should Be the Culture of Our Organization?

A learning health system is patient centered and uses information to continuously improve health and healthcare of individuals and the population.
How Do We Implement Best Practices to Move People and Systems Forward?

- Industrial strength leaders
- Industrial strength organizations
- Un-ending curiosity and fact finding
- Ability to project what-if scenarios
- Ability to simplify every process
- Ability to act lean
- Zero tolerance for waste
Still on the Fence?
Why Intelligent Monitoring?

Protect our patients and families, our stakeholders, and organization from financial and reputational damages
Who is in the Recent Headlines?

Feds Go to Court to Collect First-Ever Fine for HIPAA Violations
In February, the Office for Civil Rights imposed a $4.3 million fine on a Maryland medical group that had refused to honor 41 patients’ requests for their medical records...

Text Message Use Among Providers Raise HIPAA Concerns
Written by Joyce McLaughlin, JD, Senior Counsel, Davis & Wilkerson | August 11, 2011 | http://www.beckershospitalreview.com
As the possibilities for electronic communication continue to expand with great speed, use of the technology by hospital employees and physicians without adequate security can expose your facility to HIPAA violations. The increasing use of cell phones and texting....

Alabama’s Regional Medical Center Under Investigation for HIPAA Violations
August 18, 2011 | Molly Gamble | http://www.beckershospitalreview.com/
The head of Regional Medical Center in Anniston, Ala., has confirmed the hospital is under federal investigation for possible HIPAA violations, according to an Anniston Star report.

OCR: Walgreens HIPAA Investigation Continues
Dom Nicastro, for HealthLeaders Media, August 11, 2011
An Office for Civil Rights investigation into the nation's largest drugstore chain for potential HIPAA violations ...
We can build high performance teams that together, operate as innovation engines, transforming people, technology, and processes to intelligent compliance monitoring.

We realize it begins with us.
Conclusion

An increasingly complex, transparent, healthcare environment with a vast number and types of information systems will drive the new compliance monitoring strategy.

The new compliance strategy = “Continuous Compliance Intelligence”

The advantages of automation and continuous monitoring are:
- Reduced internal threats significantly
- Increased alertness on external threats
- Reduced risk of liabilities
- Protect the organization from financial and reputational damages

Begin Now
Questions....

References


Thank you!

For more information, please contact:
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Link to Survey:

Survey: Your Opinion on the Industry’s Preparedness to Proactively Monitor HIPAA Compliance
http://www.surveymonkey.com/s/NGQGX8D