IHS HIPAA Privacy Checklist

(a) Subpart A – General Provisions

(1) § 164.106 Relationship to other parts
   - Update SOR and/or policy

(b) Subpart E – Privacy of Individually Identifiable Health Information

(1) § 164.500 Applicability
   - Update SOR and/or policy
   - May require business associate contract

(2) § 164.501 Definitions
   - Update SOR and/or policy
   - Refer to various IHS program offices for input
   - Legal review of some definitions for IHS
   - Some definitions need to be updated in current SOR and/or policy

(3) § 164.502 Uses and disclosures of protected health information: general rules
   - Update SOR and/or policy. Have work group consisting of appropriate staff develop the policy and procedure

(4) § 164.504 Uses and disclosures: organizational requirements
   - May require legal review from OGC to determine if this applies
   - Have workgroup consisting of appropriate staff to develop the policy and procedure to implement

(5) § 164.506 Consent for uses or disclosures to carry out treatment, payment, or health care operations
   - Refer to OGC for legal review
   - Refer to various IHS program offices for input
   - Have workgroup consisting of appropriate staff develop the written consent and the policy and procedure to implement
(6) §164.508 Uses and disclosures for which an authorization is required

- Have workgroup consisting of appropriate staff develop the written authorization and the policy and procedure to implement
- Refer to various IHS program offices for input
- Update SOR and/or policy

(7) §164.510 Uses and disclosures requiring an opportunity for the individual to agree or to object

- Have workgroup consisting of appropriate staff develop the policy and procedure to implement

(8) §164.512 Uses and disclosures for which consent, an authorization, or opportunity to agree or object is not required

- Refer to OGC for legal review
- Refer to various IHS program offices for input
- Have workgroup consisting of appropriate staff develop the policy and procedure to implement
- Update SOR and/or policy
- Privacy Act more stringent; legal review of “serious & imminent threat.”

(9) §164.514 Other requirements relating to uses and disclosures of protected health information

- Have workgroup consisting of appropriate staff develop written policy and procedure to implement
- Update SOR and/or policy
- Develop notice of privacy practices

(10) §164.520 Notice of privacy practices for protected health information

- Update SOR and/or policy

(11) §164.522 Rights to request privacy protection for protected health information

- Refer to Research for further review and input: implementation
- Have workgroup consisting of appropriate staff develop written policy and procedure to implement
(12) § 164.524 Access of individuals to protected health information

- Update SOR and/or policy
- Some parts of this section may not be applicable to IHS
- Refer to various IHS program office for input
- Have workgroup consisting of appropriate staff develop the policy and procedures to implement

(13) § 164.526 Amendment of protected health information

- Have workgroup consisting of appropriate staff develop written policy and procedure
- Update SOR and/or policy

(14) § 164.528 Accounting of disclosures of protected health information

- Have workgroup consisted of appropriate staff develop policy and procedure to implement
- Update SOR and/or policy

(15) § 164.530 Administrative requirements

- At the HQ level, a PA Officer is a full-time position; Area-level, privacy act responsibilities are delegated in most cases to Medical Records positions; SU-level, PA responsibilities are covered by Medical Records Supv./HIMS staff.
- Have workgroup consisted of appropriate staff develop policy and procedure to implement
- Existing Area PA and contracted trainers (designed specific to IHS) can accomplish training
- Some parts of this section may not be applicable to IHS

(16) § 164.532 Transition provisions

- Have workgroup consisted of appropriate staff develop policy and procedure to implement

(17) § 164.534 Compliance dates for initial implementation of the privacy standards

- Compliance info for implementing