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Carol M. Palmore
Secretary

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MEMORANDUM

PERSONNEL MEMO 03 - 06

TO: Cabinet Secretaries
Agency Heads
Personnel Executives

FROM: 
Carol M. Palmore, Secretary

SUBJECT: HIPAA Requirements for Disclosures of
Protected Health Information

The most recent implementation of the Health Insurance Portability and Accountability Act [HIPAA] has focused on the **Privacy** requirements of the Administrative Simplification Compliance Act [ASCA]. These requirements are designed to prevent the inappropriate use and disclosure of personally identifiable health information. Violation of the HIPAA regulations may result in severe penalties.

Any use or disclosure that is neither required nor permitted is prohibited. Since the purpose of the privacy standards is to protect personal health information by preventing inappropriate uses or disclosures, then any use or disclosure outside of "treatment, payment and operations (TPO)" is prohibited without specific "authorization" from the member.

HIPAA requires persons holding personal health information to make all "reasonable" efforts not to use or disclose more than the "minimum necessary" to accomplish the relevant purpose.

For purposes of compliance and the protection of our members, the policy of this Cabinet is that no disclosures of protected health information will be made outside of those permitted under HIPAA and all disclosures will have to comply with the HIPAA requirements. Please ensure that your employees understand that compliance with this policy will be strictly enforced.



AN EQUAL OPPORTUNITY EMPLOYER M/F/D