Medical Data

Penalties

- $10,000-$50,000 per incident up to $1.5 Million
- $1,000-$50,000 per incident up to $1.5 Million
- $100-$50,000 per incident up to $1.5 Million
- $50,000 per incident up to $1.5 Million

First Tier
- The covered entity did not know and could not reasonably have known of the breach.

Second Tier
- The covered entity "acted with willful neglect" and corrected the problem within a 30-day time period.

Third Tier
- The covered entity "acted with willful neglect," and failed to make a timely correction.

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Medical Data

Personal Health Information (PHI)

HIPAA Privacy & Security Rule Complaint Process

- Health Insurance Portability and Accountability Act (HIPAA), 1996
- Office of Civil Rights (OCR)
  - 75 cases: $116,303,582.00.
- In 2011, Centers for Medicare and Medicaid Services (CMS) created the EHR Incentive Program to adopt and demonstrate “meaningful use” of electronic medical records (EMR) by January 1, 2014 in order to maintain their existing Medicaid and Medicare reimbursement levels.

The 18 identifiers that make health information PHI are:

- Names, dates, SSN, photos, URLs, IPs, FAX numbers, etc.