

## Compliance Today – June 2019

### Knowing who has access to your PHI and who does not

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By Jay P. Anstine

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On December 11, 2018, the Department of Health and Human Services, Office for Civil Rights (OCR) announced a settlement with a critical access hospital in Colorado, Pagosa Springs Medical Center (PSMC),<sup>[1]</sup> which agreed to pay \$111,400 to resolve alleged violations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

According to the [settlement](#), OCR alleged that from July to September of 2013, PSMC impermissibly disclosed the protected health information (PHI) of 557 individuals. The cause of the impermissible disclosures was attributable to two sources. First, the hospital failed to deactivate a former employee's credentials to access a web-based scheduling calendar. Additionally, through the course of the investigation, it was discovered that PSMC did not have a business associate's agreement (BAA) with Google, the contracted vendor providing the software.

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