

Report on Patient Privacy Volume 19, Number 10. October 10, 2019 Bayfront's CAP Includes Focus on Business Associates

By Theresa Defino

For the next year, Bayfront Health St. Petersburg of Florida will be fulfilling the terms of its recent settlement agreement with the HHS Office for Civil Rights (OCR). St. Pete's oldest and largest medical center, Bayfront is a teaching hospital and Level II trauma center that is part of the for-profit hospital chain Community Health Systems Inc. Licensed for 480 beds, it has more than 500 affiliated physicians.

The hospital ran into trouble with OCR in 2017 when, in OCR's words, Bayfront "failed to provide a mother timely access to records about her unborn child."^[1]

On Sept. 9, OCR announced a \$85,000 settlement agreement and an accompanying one-year corrective action plan (CAP) to resolve allegations that Bayfront had violated the right of access to medical records provisions of the privacy rule.^[2]

The case is the first enforcement action of its type in 10 years, since OCR tried to collect \$4 million from a firm that had denied requests from several dozen patients for their records and then had them all delivered to OCR's D.C. offices. It later went out of business and never paid the fine.

The settlement spotlights the long-simmering problems that patients have had getting copies of their medical records and drives home the message that OCR has shown it is willing to hold organizations accountable (see related story, p. 1).^[3]

As for Bayfront itself, it has not been involved in any previous OCR actions that have been made public, and its name does not appear on OCR's website where breaches affecting 500 or more individuals are posted.

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