

**UNIVERSITY PHYSICIANS OF BROOKLYN**  
**POLICY AND PROCEDURE**

<b>Subject:</b> <u>COMPLIANCE AND ENFORCEMENT</u>	<b>No. HIPAA-4</b>
	<b>Page 1 of 2</b>
<b>Prepared by:</b> <u>Shoshana Milstein RHIA, CHP, CCS</u>	<b>Original Issue Date:</b> _____
<b>Reviewed by:</b> <u>Renee Poncet</u>	<b>Supersedes:</b> _____
	<b>Effective Date:</b> <u>04/2017</u>
<b>Approved by:</b> <u>Steve Fuhro</u>	<b>Standard:</b> Privacy of Individually Identifiable Health Information, 45 CFR §164.310, § 164.312
<u>Ross Clinchy, PhD</u>	
<u>Lauren Gabelman</u>	
<u>William P. Urban, MD</u>	<b>Issued by:</b> <b>Regulatory Affairs</b>

**I. PURPOSE**

To ensure University Physicians of Brooklyn’s proper cooperation with the Department of Health and Human Services (HHS) for determining compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its accompanying regulations.

**II. POLICY**

In order to cooperate with HHS in determining compliance with the HIPAA standards:

- A.** University Physicians of Brooklyn will retain all records and submit compliance reports to the Secretary of HHS, as required.
- B.** University Physicians of Brooklyn will cooperate with the Secretary of HHS during an investigation or compliance review of the policies, procedures or practices of University Physicians of Brooklyn.
- C.** University Physicians of Brooklyn will permit access by the Secretary of HHS, during normal business hours, to its facilities, books, records, accounts and other sources of information, including protected health information, that are pertinent to ascertaining compliance.

COMPLIANCE AND ENFORCEMENT

1. When the Secretary of HHS determines that unusual circumstances exist, such as when documents may be hidden or destroyed, University Physicians of Brooklyn will permit access by the Secretary at any time and without notice.
  2. University Physicians of Brooklyn will attempt to obtain information in the exclusive possession of another agency, institution or person.
    - a. If the other sources of information fail or refuse to furnish the information, University Physicians of Brooklyn will document and certify the efforts it has made to obtain the information.
- D. If a violation is found after an investigation or compliance review, University Physicians of Brooklyn will comply with whatever action the Secretary of HHS determines is warranted.

**III. DEFINITION(s)**

None

**IV. RESPONSIBILITIES**

It is the responsibility of all medical staff members and hospital staff members to comply with this policy. Medical staff members include physicians as well as allied health professionals. Hospital staff members include all employees, medical or other students, trainees, residents, interns, volunteers, consultants, contractors and subcontractors at the hospital.

**V. ATTACHMENTS**

None

**VI. REFERENCES**

Standards for Privacy of Individually Identifiable Health Information, 45 CFR §164.310, § 164.312

<b>Date Reviewed</b>	<b>Revision Required (Circle One)</b>		<b>Responsible Staff Name and Title</b>
9/2013	Yes	(No)	Shoshana Milstein / AVP, Compliance & Audit
9/2016	Yes	(No)	Shoshana Milstein / AVP, Compliance & Audit
12/2016	Yes	(No)	Shoshana Milstein / AVP, Compliance & Audit