



Common HIPAA Violations

- Snooping in healthcare records
- Failure to perform organization-wide risk analysis
- Failure to manage security risks/no risk management process
- Denying patients access to health records/exceeding time for providing
- Failure to have HIPAA-compliant Business Associate Agreements
- Insufficient ePHI access controls
- Failure to encrypt ePHI on portable devices
- Exceeding 60-day deadline for Breach Notifications
- Impermissible PHI disclosures
- Improper PHI disposal



Associate HIPAA Violations

- Snooping in healthcare records
- Emailing ePHI to personal email accounts
- Leaving portable electronic devices & paperwork unattended
- Releasing patient information to an unauthorized individual
- Releasing patient information without authorization
- PHI disclosure to third party after authorization expiration date
- Impermissible disclosure of patient health records or providing unauthorized access to records
- Downloading PHI to unauthorized devices



More HIPAA Violation Data

- One cannot sue an individual for disclosing medical information because HIPAA has no private right of action
- Can find out who has accessed medical records by asking for Accounting of Disclosures
- A family member cannot violate HIPAA UNLESS he/she is a medical professional or member of Covered Entity or Business Associate workforce
 - e.g., if he/she is your dentist & discloses PHI impermissibly-a violation