

1

Telehealth Data Privacy and Security: Strategies and Solutions for Providers


Wednesday, September 16, 2015 – 12:00 pm Central

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2


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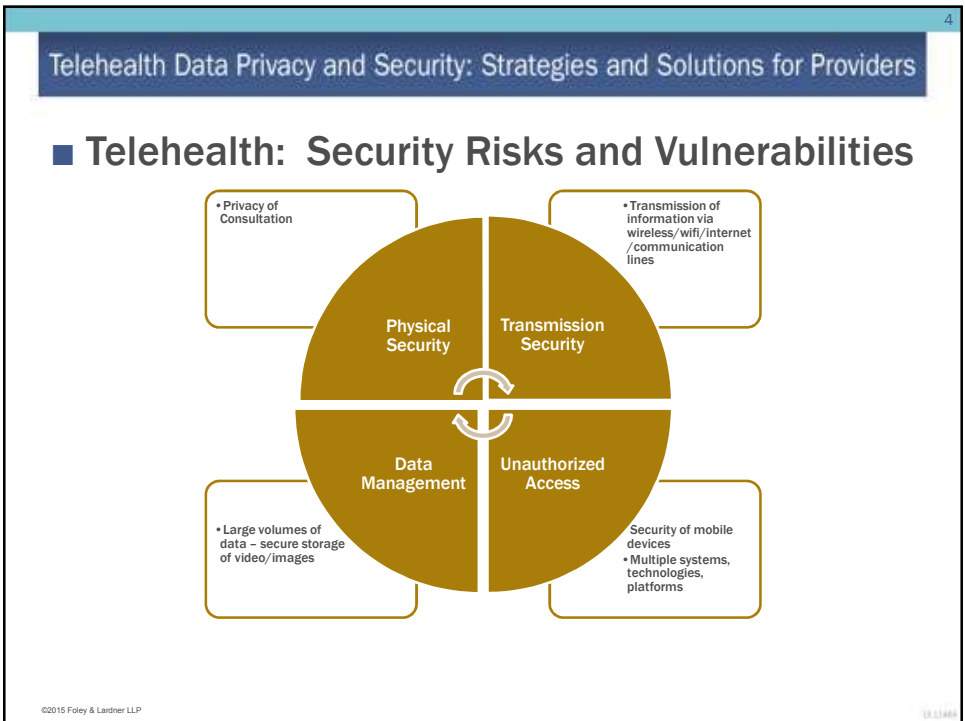
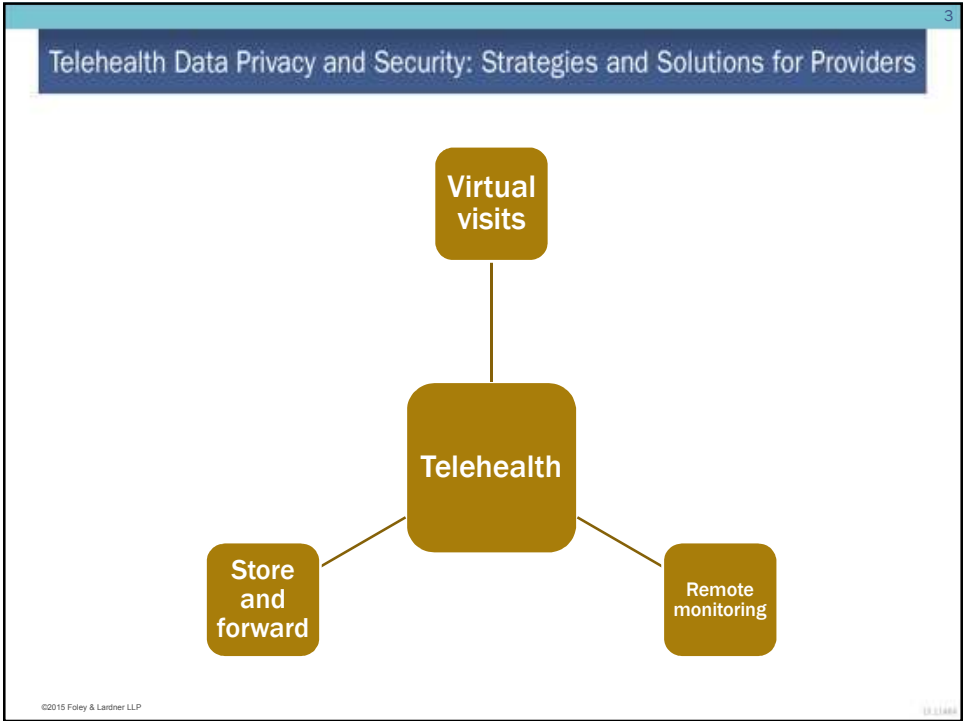
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5

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■ Legal Framework

S T A T E L A W S	Sector-specific.	<ul style="list-style-type: none"> ▪ Health Information Portability & Accountability Act (HIPAA) and Health Information Technology for Economic & Clinical Health (HITECH). ▪ Federal Communication Commission. 	F E D E R A L L A W S
	Jurisdiction-specific and may apply to either certain providers or to certain types of information.	<ul style="list-style-type: none"> ▪ Informed consent for telemedicine. ▪ Mental health information. ▪ Substance abuse information. ▪ HIV/AIDS/communicable disease data. ▪ Genetic data. ▪ Marketing restrictions. ▪ State breach reporting. 	
	Consumer Protection Laws.	<ul style="list-style-type: none"> ▪ Federal Trade Commission. ▪ Food and Drug Act. 	

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6

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HIPAA Issues for Telehealth

Is the telehealth company a Covered Entity, Business Associate, both, or neither?

Role of telehealth company – data storage, reporting, billing, other

Data Management –chain of custody, liability, access/use of consumer data, deidentification (mining, re-sale)

Data Security – encryption, authentication, data storage

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7

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Privacy Compliance

- Notice of Privacy Practices (who provides, MSO, vendor, provider)
- Website Privacy Statement (different than NPP)
- Terms of Use
- Informed Consent to Telemedicine

- Online “pop-up” authorizations
- Electronic signatures

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8

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Privacy Considerations

- Which state law applies to interstate consults?
Laws that govern use and disclosure of information
Data breach notification laws
- Ownership of telehealth record
Who owns the record? Provider or patient?
- Medical record requirements
Is the video/audio recording part of the medical record?
What are the retention requirements?

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9

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International Considerations

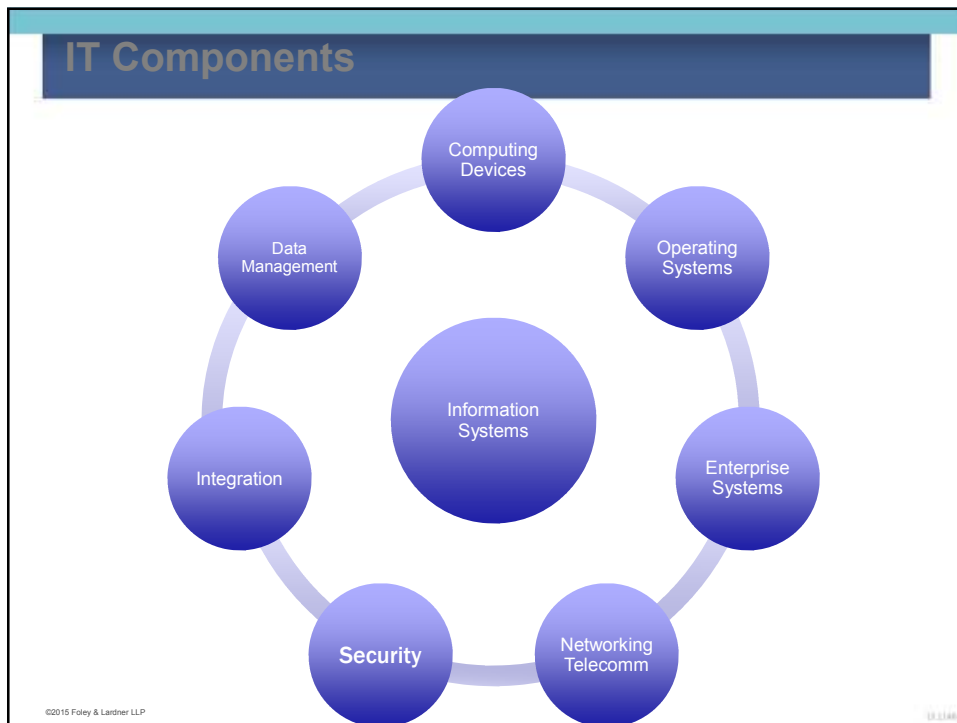
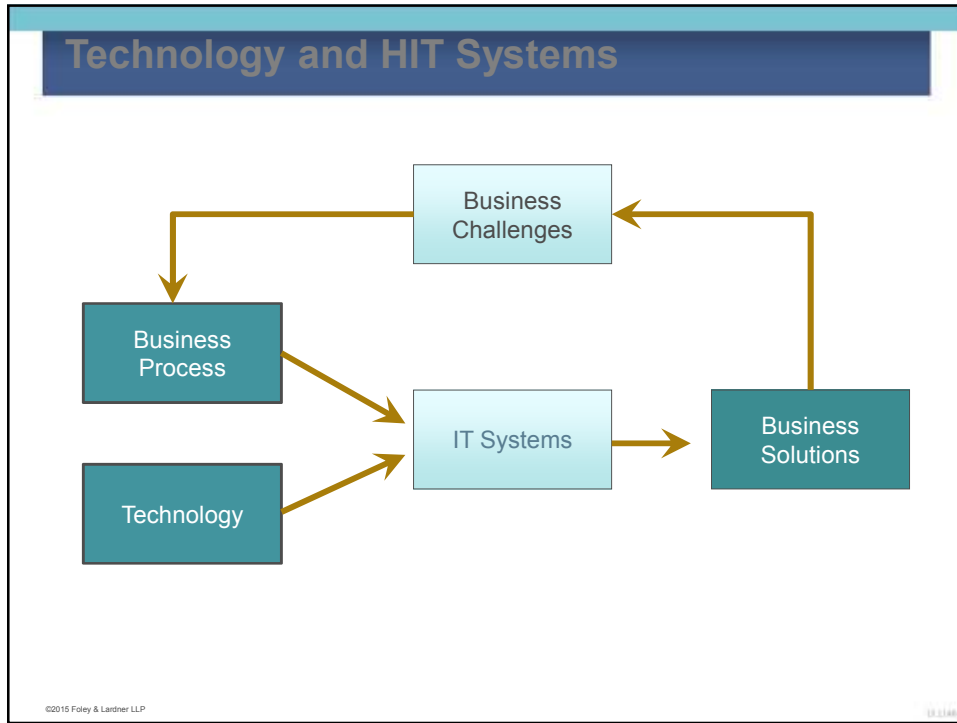
- National/local data collection and privacy laws –
What triggers laws? Data collection? Data storage?
- Data transfer issues
- International security protocols

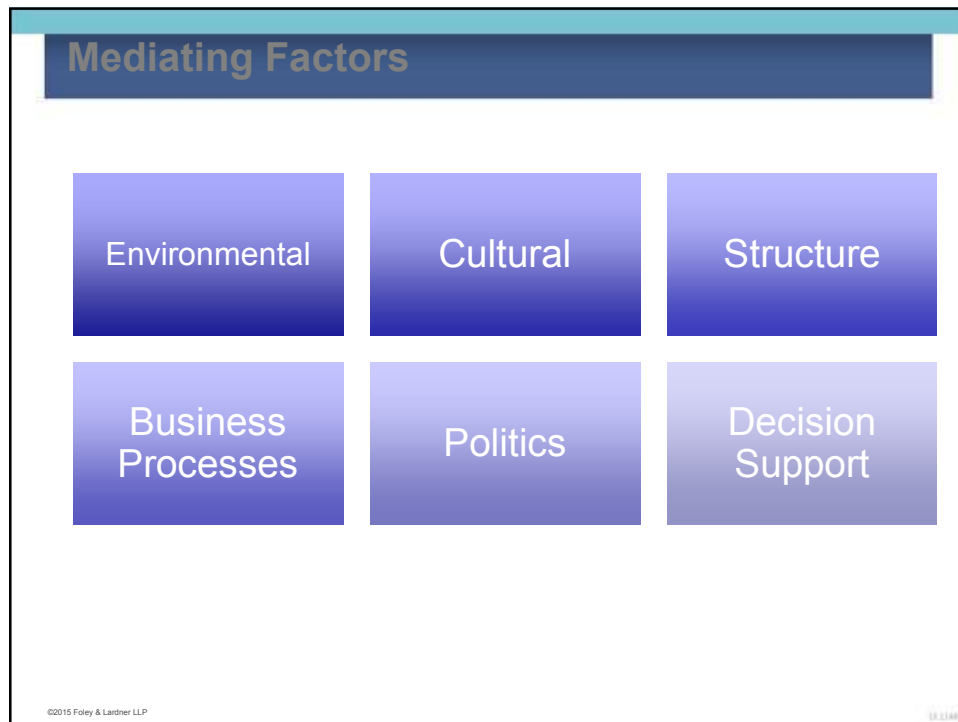
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Technology Selection

- Build vs Buy
 1. Agility versus sustainability
 2. How to choose the right technology partner
 - How to address internally developed solutions
 - The use of technology consultants
- What is feasible?
- What does scale look like?
- Could this be an Enterprise System?

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Integration

- How can technology integration add value?
 1. Automation
 2. Cost Reduction
 3. Capacity building

- Where to focus
 1. Reducing disparate systems
 2. Tying in with clinical systems
 3. SaaS and PaaS based models

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18 | 14

Privacy and Security Overview

The challenge: protect PHI as it moves through the healthcare system

- Potential obstacles:
 1. Internal
 - Workflow
 - Politics
 - Organizational Culture

 2. External
 - Hackers
 - Identity Theft
 - State Sponsored Attacks
 - Consumerization of IT

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Approaches to Security

- Cyber Security Changing Landscape
- Encryption and HIPAA compliance
- Two Factor Authentication
- Data Management

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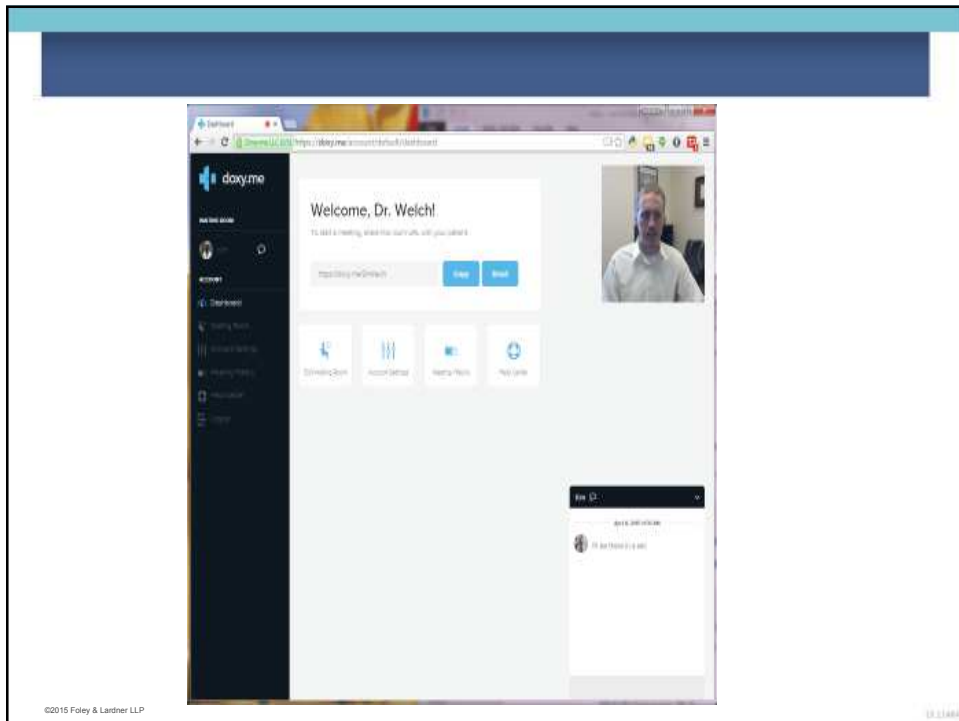
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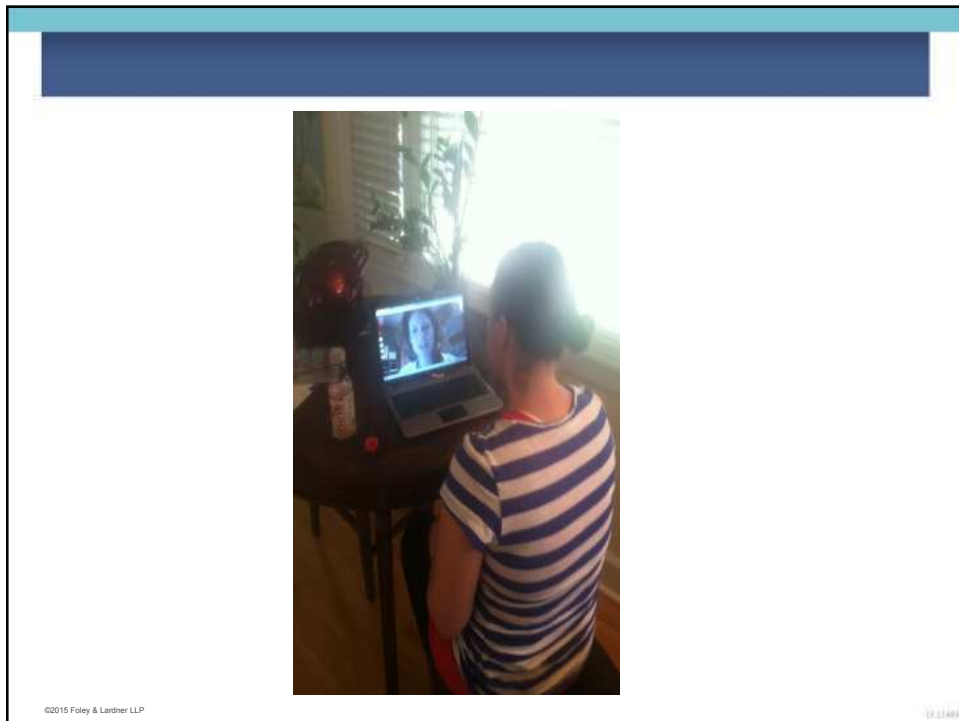
Security Breaches

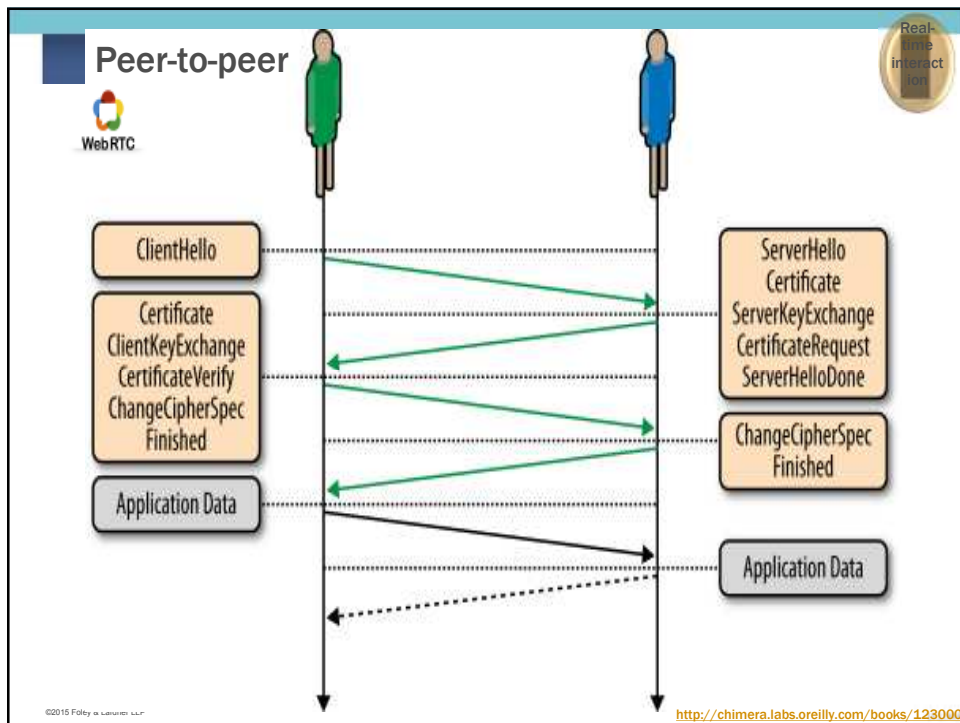
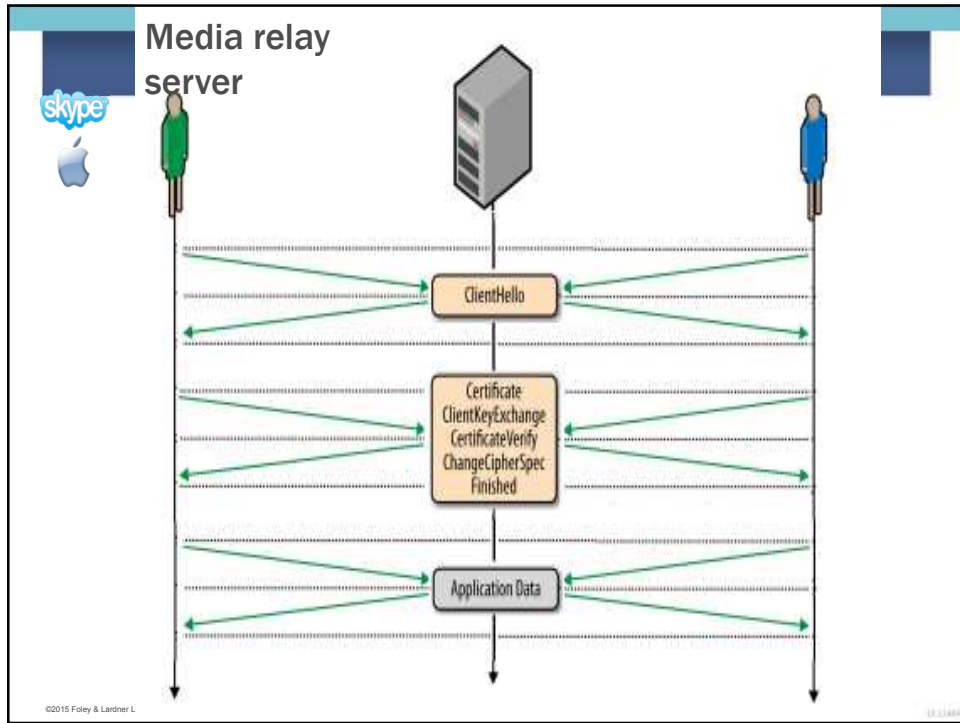
- 62% increase in security breaches since 2013
- 2.5 billion exposed records in 2014
- Telehealth is an unfamiliar territory to most security professionals
- How to prevent IT security breaches
 1. Third Party Code Audits
 2. Hosting Security Reporting
 3. Active Monitoring
 4. Standards

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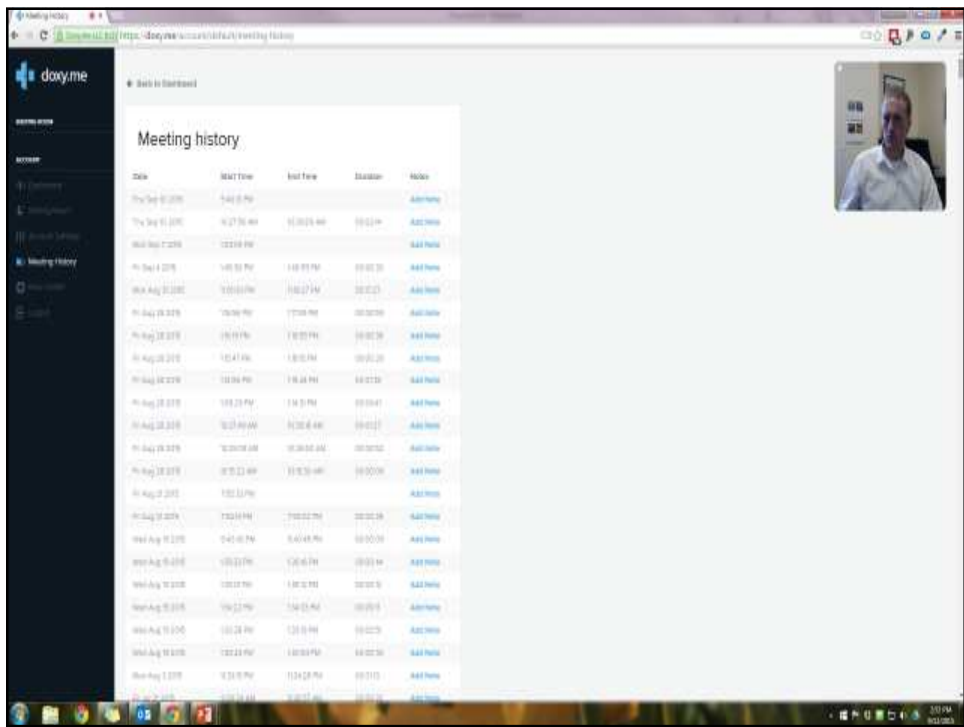
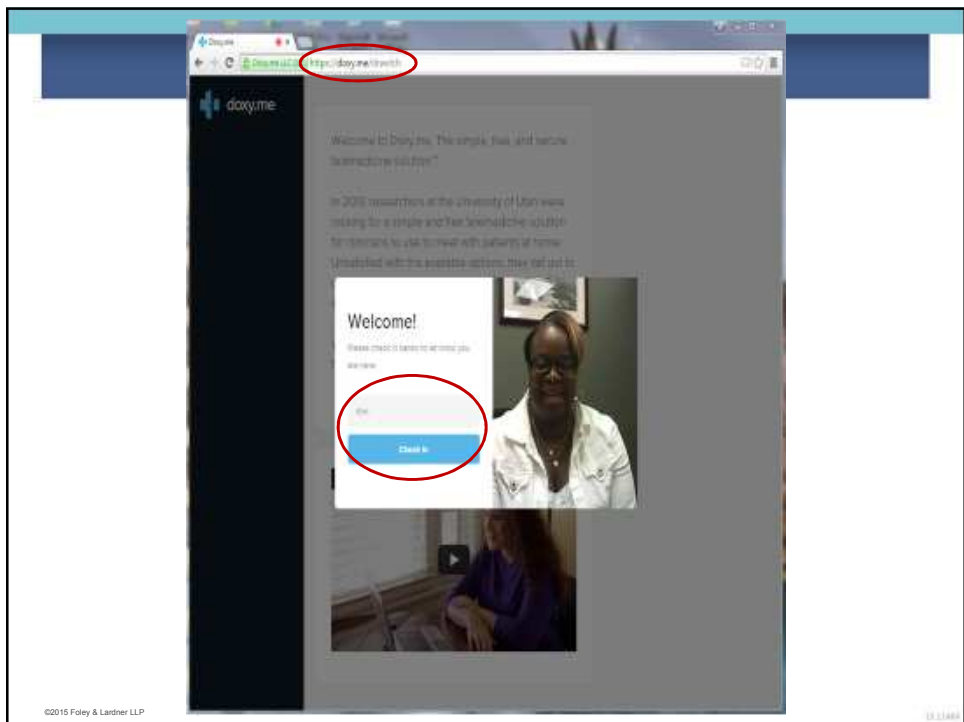
Get started by telling us your relationship status:

Please Select

[See Your Matches »](#)

Over **32,875,000** anonymous members!







vs

A screenshot of a video call with a woman wearing glasses and a white lab coat. She is looking towards the camera. A small inset window in the top right shows the man from the previous image.

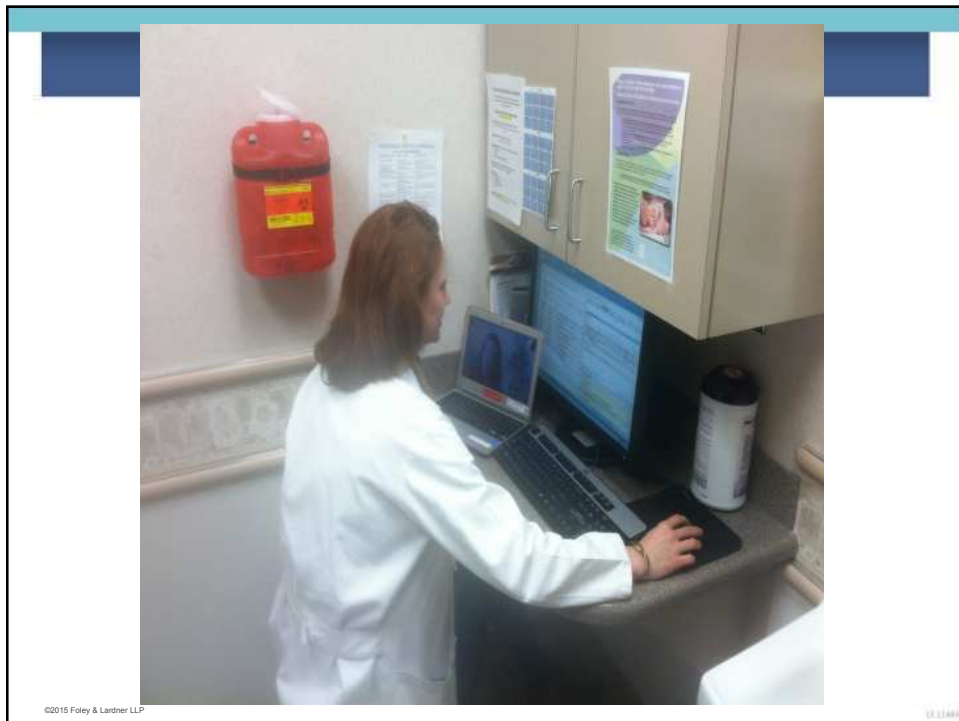
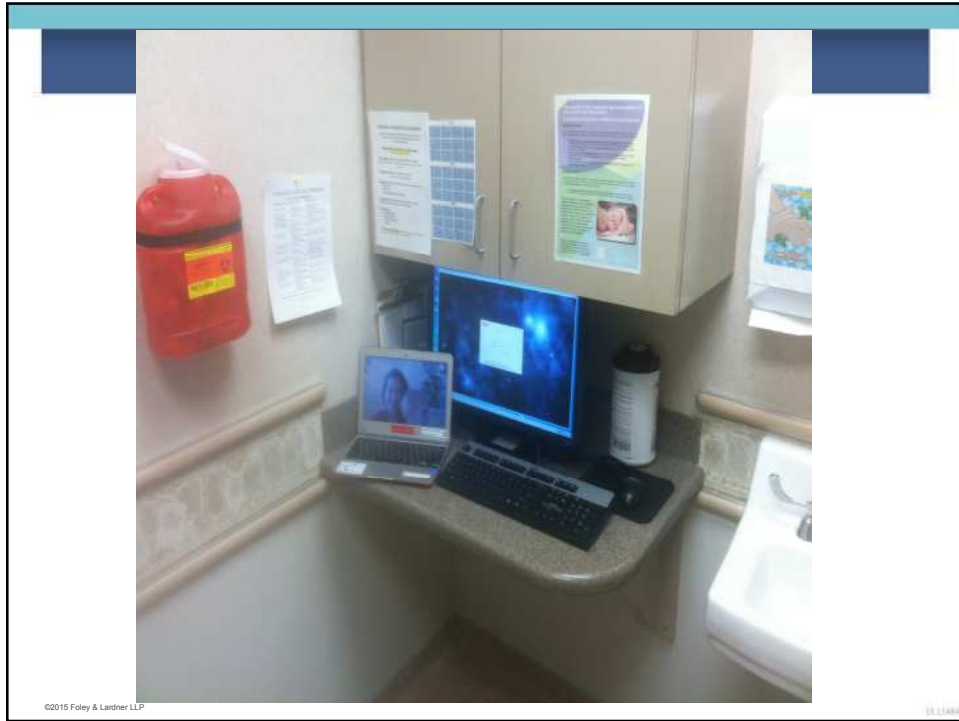
Communication and interaction

A screenshot of a medical software interface showing patient information for "Peterson, Cindy". The interface includes sections for "Patient and Coverage", "Billing", "Statements", and "Payments".

Statement	Service Yr	Change	Status
07/01/15	07/01/15	20.00	20.00
07/01/15	07/01/15	50.00	50.00
07/01/15	07/01/15	100.00	100.00
07/01/15	07/01/15	200.00	200.00
07/01/15	07/01/15	300.00	300.00
07/01/15	07/01/15	400.00	400.00
07/01/15	07/01/15	500.00	500.00
07/01/15	07/01/15	600.00	600.00
07/01/15	07/01/15	700.00	700.00
07/01/15	07/01/15	800.00	800.00
07/01/15	07/01/15	900.00	900.00
07/01/15	07/01/15	1000.00	1000.00

Documentation

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33

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 Director and Associate General Counsel
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