

## SHIPM – Update Log

Section	Page(s)	Change
General	Various	As part of the final formatting process, hyperlinks to definitions, punctuation and minor grammar changes were made throughout the document – all changes are non-substantive.
Introduction Letter	N/A	Updates for currency.
1.1.1 – CalOHII Authority	12-13	<p>Changed first sentence of second paragraph in II. Policy to replace “complying with” with “implementing and adopting” and replaced “formation” with “formulation.”</p> <p>Updated III.A to reflect updates to CA Health and Safety Code § 130306 – removed items 9 – 11.</p>
1.2.1 – State Agency Responsibility	16	<p>Updated III.H to:</p> <ul style="list-style-type: none"> <li>replace “complying with” with “policies and authorities outlined in”</li> <li>replace California Information Security Officer (CISO) reference with Office of Information Security (OIS)</li> </ul>
2.1.1 – Authorizations	18-21	<p>Updated citations in III. Implementation Specifics to ensure accurate and complete references to CA Civil Code 56.10. This included updates to III.D.3 and 4 to clarify the provider and receiver of requested health information.</p> <p>Updated III.A and B and added III.D.11 per OCR guidance on HIPAA and the FTC Act (October 21, 2016).</p> <p>Updated III.C to specify “no smaller than” for font size reference.</p> <p>Updated III.D.2.a and c to include the requirement that HIV/AIDS and genetic test results require a separate authorization for each disclosure.</p> <p>Updated III.E.2 to include federal C.F.R. citation reference regarding compound authorizations.</p>
2.2.6 – Law Enforcement	34, 37	<p>Updated II. Policy to add “NOTE:” and reference to policy 2.3.0 Specially Protected Health Information.</p> <p>Updated V. Related Policies with policies related to specially protected health information.</p>
2.2.12 – Research	52	Corrected citation in III.A.2.
2.2.17 – Health Information Exchange (HIE)	66	Updated III.A to replace California Information Security Officer (CISO) references with Office of Information Security (OIS).
2.2.18 – Hybrid Entities	All	Moved policy to Chapter 4 – Requirements for Specific Organizations. See 4.6.5 – Hybrid Entities.

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2.3.3 – Mental Health	76-80	<p>AB1119 – <i>Confidentiality of LPS Act Information</i> (Chapter 323, September 27, 2017) updated all CA Welfare and Institutions Code numbering references for § 5328. Entire policy was reviewed and citations updated.</p> <p>Updated III.B.1 to clarify when professional judgement can be used to disclose information without an authorization.</p> <p>AB2119 – <i>Medical information: disclosure: medical examiners and forensic pathologists</i> (Chapter 690, September 27, 2016) – III.B.16 was updated to add medical examiner and forensic pathologist to the definition of coroner, clarify the information that can be disclosed, and update citation references.</p>
2.3.4 – Substance Use Disorder Treatment	83-84	<p>42 C.F.R. Part 2 (Final Rule Vol 83, No 2 - January 3, 2018) – updated III.B.3 to reflect changes to the mandatory language.</p> <p>Updated III.C.5 to clarify limitations on information that can be shared with law enforcement.</p> <p>Updated III.C.7 to ensure consistency when advising state entities to seek legal counsel.</p>
2.3.5 – Developmental Services Records	88-92	<p>AB1119 – <i>Confidentiality of LPS Act Information</i> (Chapter 323, September 27, 2017) updated all CA Welfare and Institutions Code numbering references for § 5328. Entire policy was reviewed and citations updated.</p> <p>AB2119 – <i>Medical information: disclosure: medical examiners and forensic pathologists</i> (Chapter 690, September 27, 2016) – III.C.13 was updated to add medical examiner and forensic pathologist to the definition of coroner, clarify the information that can be disclosed and update citation references.</p>
2.3.6 – Psychotherapy Notes	93-95	<p>AB1119 – <i>Confidentiality of LPS Act Information</i> (Chapter 323, September 27, 2017) updated all CA Welfare and Institutions Code numbering references for § 5328. Entire policy was reviewed and citations updated.</p> <p>AB2119 – <i>Medical information: disclosure: medical examiners and forensic pathologists</i> (Chapter 690, September 27, 2016) – III.A.2.c was updated to add medical examiner and forensic pathologist to the definition of coroner, clarify the information that can be disclosed and update citation references.</p>

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Section	Page(s)	Change
2.4.1 – Breach and Breach Notification	97-98	Updated III.D.1 and III.E.3.A to replace California Information Security Officer (CISO) reference with Office of Information Security (OIS).  Updated III.D.4 to clarify annual breach reporting to CalOHII should only include PHI specific breaches.
2.5.1 – De-Identification	103	Updated links and web addresses for III.A.3.a and b
3.0 – Cross Reference	119-120	Updated the cross-reference table to: <ul style="list-style-type: none"> <li>• Correct policy name for 4.4.1 referenced in Administrative Safeguards Business Associate Contracts item</li> <li>• Correct policy name for 3.3.4 referenced in Technical Safeguards Integrity and Implementation Process, and Transmission Security items</li> <li>• Correct policy number for Access Control referenced in Technical Safeguards Access Control item</li> </ul>
3.1.1 – Contingency Plans	121-123	Added III.B.5.a per “People, Process, Technology” document published November 2017 by the California Department of Technology (CDT).  Updated all references to the following for consistency: <ul style="list-style-type: none"> <li>• disaster recovery plan is now Technology Recovery Plan</li> <li>• emergency mode operations plan is now Business Continuity Plan</li> </ul>
3.1.2 – Incident Procedures	124-126	Removed III.D. – duplicate reference (already covered in SHIPM Policy 3.1.4).  Updated CA SAM citation reference for III.D (previously III.E) per CDT “People, Process, Technology” document.
3.1.4 – Security Management Process	131-132, 134	Per CDT “People, Process, Technology” document, updated: <ul style="list-style-type: none"> <li>• III.A to reference “entity-wide” for policies and procedures and added SAM citations</li> <li>• III.C.3 SAM citations</li> <li>• III.C.4 was added to address malicious code requirements</li> </ul>
3.1.5 – Security Awareness and Training	137	Updated SAM citation in III.C.3 per CDT “People, Process, Technology” document.
3.2.2 – Device and Media Control	145	Updated II. Policy to clarify types of devices per OCR’s October 2017 Cybersecurity Newsletter and include references to other applicable SHIPM policies.

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3.2.3 – Facility Access Controls	148-149	<p>Updated III.A.3 to clarify information systems and software program are specific to “facilities-related”.</p> <p>Updated all references to the following for consistency:</p> <ul style="list-style-type: none"> <li>disaster recovery plan is now Technology Recovery Plan</li> <li>emergency mode operations plan is now Business Continuity Plan</li> </ul>
3.2.4 – Workstation Use and Security	153-154	<p>Updated III.B.1.c per CDT “People, Process, Technology” document to clarify types of access.</p> <p>Updated all references to the following for consistency:</p> <ul style="list-style-type: none"> <li>disaster recovery plan is now Technology Recovery Plan</li> <li>emergency mode operations plan is now Business Continuity Plan</li> </ul>
3.3.1 – Audit Controls	158	<p>Updated III.D.1.c to replace California Information Security Officer (CISO) reference with Office of Information Security (OIS).</p> <p>Updated SAM citation in III.D.2 per CDT “People, Process, Technology” document.</p>
3.3.5 – Access Controls	165-166	<p>Per CDT “People, Process, Technology” document, updated:</p> <ul style="list-style-type: none"> <li>III.A.1.a to add requirement for the user to sign the appropriate user agreements before access is granted</li> <li>III.C to add an inventory of information system connections</li> </ul> <p>Updated all references to the following for consistency:</p> <ul style="list-style-type: none"> <li>disaster recovery plan is now Technology Recovery Plan</li> <li>emergency mode operations plan is now Business Continuity Plan</li> </ul>
3.4.1 - Documentation	171	<p>Per CDT “People, Process, Technology” document, added III.E to address documentation requirements regarding the protection of protected health information.</p>
4.1.1 – Policies and Procedures	176	<p>Per CDT “People, Process, Technology” document, added III.A.8 to address documentation requirements regarding the protection of protected health information.</p>

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Section	Page(s)	Change
4.1.4 – Staffing: Privacy Official, Security Official	182-185	<p>III.A.1 updated to clarify introduction to the responsibilities for Privacy Officer.</p> <p>Updated all references to the following for consistency:</p> <ul style="list-style-type: none"> <li>disaster recovery plan is now Technology Recovery Plan</li> <li>emergency mode operations plan is now Business Continuity Plan</li> </ul> <p>Per CDT “People, Process, Technology” document, added III.C.1 to address entity-wide requirements for information security, privacy and risk management programs.</p>
4.3.1 – Transactions and Code Sets	195	Updated III.C to replace California Information Security Officer (CISO) reference with Office of Information Security (OIS).
4.4.1 – Business Associate Agreement	197-200	<p>Corrected CA SAM citation references in policy from § 4893 to § 4983.</p> <p>Updated III.F and IV. References to add CA Health and Safety Code § 11845.5(c)(3) citation.</p>
4.4.2 – Oversight of Business Associates	202, 204	Added reference to new attachment (Oversight of BAs – Guidance and Checklist) in policy header box and IV. Attachments.
4.6.3 – Health Information Organizations	212	Updated III.A to replace California Information Security Officer (CISO) reference with Office of Information Security (OIS).
4.6.5 – Hybrid Entities	All	Moved from 2.2.18.
5.1.1 – Accounting of Disclosures	220	Added III.A for required policies and procedures regarding accounting of disclosures.
5.3.1 – Notice of Privacy Practices	230	<p>Updated III.H and added III.I to reflect ACA Rule non-discrimination requirements.</p> <p>Updated IV. References to reflect ACA Rule citations.</p>
5.4.1 – Patient’s (Individual’s) Right to Access Health Information	231-238	<p>SB575 – <i>Patient Access to health records</i> (Chapter 626, October 9, 2017) and SB241 – <i>Medical records: access</i> (Chapter 513, October 5, 2017) updated:</p> <ul style="list-style-type: none"> <li>III. and III.A.1 to clarify need for a written request from the patient</li> <li>III.A.1.e regarding the health information that must be provided at no charge</li> <li>III.A.8 to add “or claim” to health information that patient is entitled to one copy free of charge</li> <li>Citations throughout policy to reflect SB575 references</li> </ul>

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SHIPM Definitions	246 - 249, 254, 256 – 258, 261	The following definitions were updated or modified: <ul style="list-style-type: none"> <li>• Authorization</li> <li>• Availability</li> <li>• Business Associate</li> <li>• De-identified Information</li> <li>• Disability Rights California – citation correction; link updated</li> <li>• Disclose</li> <li>• Health Oversight Agency</li> <li>• Law Enforcement Official</li> <li>• Mental Health Records</li> <li>• Patient’s Representative</li> <li>• Payment</li> <li>• Qualified Service Organization</li> </ul>
Attachment – 2.1.1 – Authorization for Release of Information (template)	1	Updated Person/Organization boxes to match updates to 2.1.1 Authorizations policy (see details above).
Attachment – 3.1.4 – Risk Analysis/Assessment Checklist	1-2	Updated first bulleted item to correct reference to State Administrative Manual.  Updated second bullet to replace California Information Security Officer (CISO) reference with Office of Information Security (OIS).  Updated last bulleted item to add “help” before “ensure your final report is compliant.”  Updated Checklist for Compliance table to use term Assessment in items 3, 4, and 5.
Attachment – 4.1.1 - HIPAA Required Policies and Procedures	All	Moved Hybrid Entities from 2.2.0 – Uses and Disclosures section to 4.6.0 – Requirements for Specific Organizations (see information above regarding policy movement).  Updated policy name for 3.1.4.  Removed 3.3.3 – Access Administration – this policy was retired in June 2017.  Removed policy reference for 5.5.0 Restriction for Self-Pay and Confidential Communication.  Added requirement for policy and procedure for 5.1.1 Accounting of Disclosures.

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Attachment - 4.4.1 – HIPAA Business Associate Agreement Template	All	<p>Updated all “addendum” references to “agreement”</p> <p>Updated various grammatical errors throughout.</p> <p>Updated some PHI references to add “and confidential information” and corrected any reference from “confidential data” to “confidential information”.</p> <p>Added definition of confidential information to I.C.</p> <p>Removed “here and after” and updated phrasing “this Agreement, the contractor) in I.E.</p> <p>Replaced “or subaward to such” with “with” in 2.E.</p> <p>Removed “During the term of this Agreement:” from 2.K.</p> <p>Removed “and this Addendum” from 2.K.1).</p> <p>Deleted “confidential data” from 2.K.2).</p> <p>Removed “or Addendum” from 2.K.5).</p> <p>Removed last sentence from 3.A.</p> <p>Removed “and done by [DEPT ACRONYM]” from end of 3.E.</p> <p>Removed “and this Addendum” from the first sentence of 4.</p> <p>Removed “of this Addendum” from 5.A.2).</p> <p>Replaced “embodying” with “confirming” in 6.B.</p> <p>Added “during the Agreement term” to the end of 6.F.</p>
Attachment – 4.4.2 - Oversight of BAs Guidance and Checklist	All	New attachment (created and published October 2017) for 4.4.2 Oversight of Business Associates policy.
Attachment – 5.3.1 A – Model Template Notice of Privacy Practices	All	Minor grammatical updates.
Attachment – 5.3.1 D – Notice of Privacy Practices FAQ	1	Minor grammatical updates.