

**CalOHII Communications**

**March 2021**

***In this month’s communication,*** the California Office of Health Information Integrity (CalOHII) provides updates regarding CalOHII activities and news from the federal Health and Human Services (HHS).

**CalOHII Updates**

* **HHS proposes modifications to HIPAA –** CalOHII received input from four (4) departments on the [Notice of Proposed Rule (NPRM)](https://www.govinfo.gov/content/pkg/FR-2021-01-21/pdf/2020-27157.pdf) from HHS regarding several changes to the HIPAA Privacy Rule. We are currently working on the consolidated response for the State and will submit the formal response by March 22nd.
* **Annual Update of the Statewide Health Information Policy Manual (SHIPM)** – the annual update of SHIPM is underway – the team is working through a dozen updates that affect 19 SHIPM policies. We are on track for the June publication of the updated SHIPM.
* **State Health Information Guidance (SHIG) –** The SHIG project is moving forward on various efforts – *look for the March/April SHIG Newsletter in the coming weeks* – a brief update follows:
  + **SHIG 1.0 (Sharing Behavioral Health Information in California**) – the current content is being reviewed to ensure it reflects recent federal and state regulation changes.
  + **SHIG 2.0 (Reduce Food Insecurity among Vulnerable Californians) –** the Advisory Committee has completed reviews of all content and the CalOHII team is finalizing the materials for publication. We anticipate publication in late March/early April.
  + **SHIG 3.0 –** the CalOHII team is developing scenarios for foster youth, persons with developmental disabilities, persons with HIV/AIDS and minors. In addition, we have begun work on scenarios for public health. In late February, the team conducted its first stakeholder session on homeless people.
* **HIPAA Compliance** – CalOHII continues to work with four (4) departments on their Corrective Action Plan (CAP) action items as well as conducting a Targeted Review with a department.
* **State Legislation Review** – CalOHII has reviewed almost 300 bills for possible SHIPM impacts – at this time we have over 25 bills we are taking a closer look.
* **Incident/Breach** – CalOHII continues to review and follow-up with organizations regarding incidents reported to CalCSIRS.
* **Technical Assistance** – CalOHII continues to provide information to organizations and individuals with questions concerning the privacy protections of health information in California.

**HHS News**

* **Office for Civil Rights (OCR) continues Right of Access Initiative enforcement actions –** OCR settled another two investigations in February regarding the Right of Access Initiative. More information about [these case](https://www.hhs.gov/hipaa/for-professionals/compliance-enforcement/agreements/index.html)s and the other settlements is on the OCR website.
* **Notification of Enforcement Discretion regarding COVID Scheduling Applications –** The U.S. Department of Health and Human Services issued official notification that it is exercising its discretion on how to apply HIPAA enforcement in connection with the good faith use of online or web-based scheduling applications for scheduling of individual appointments for COVID vaccinations during the COVID public health emergency. More information about [this notification](https://www.govinfo.gov/content/pkg/FR-2021-02-24/pdf/2021-03348.pdf) is on the Federal Register website.

**Contact Us…**

**If you have any questions or comments about the content of this newsletter, contact us at** [**OHIComments@ohi.ca.gov**](mailto:OHIComments@ohi.ca.gov)**.**

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