

Privacy in Health Information Exchange

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Health Information

- ◆ information on an individual's past, present or future physical or mental health condition
- ◆ ex: demographic data, diagnosis & management, medication history, health financing record, cost of services



image: health.gov

Health Information Exchange

- ◆ data warehouse
- ◆ shared patient information

Health Data Warehouse

- ◆ repository of the country's de-identified health information within the framework of the Philippine Health Information Exchange

Shared Patient Information

- ◆ a single unified view of the health information of a patient
- ◆ a medical record to be shared between health facilities
- ◆ its use requires consent from the patient

Benefits of the Exchange

- ◆ convenience for patients
- ◆ repetitious lab tests - no more!
- ◆ accurate data for health planners
- ◆ more evidence-based medicine
- ◆ lower admin & operational costs?

Risks of the Exchange

- ◆ violation of privacy right (RA 10173)
- ◆ data breaches
- ◆ identity theft
- ◆ fraud

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You are here: Home > Companies > Anthem Healthcare > Doctors Still In the Dark After Electronics Records Hack Exposes Data on 4 Million

Doctors Still In the Dark After Electronics Records Hack Exposes Data on 4 Million

POSTED BY PAUL GELMAN | 5:15 PM | 0 COMMENTS



A hack of the electronic medical records system at Anthem Healthcare in Phoenix, Arizona, has exposed data on 4 million patients, according to a report from the Wall Street Journal.

Risks

- ◆ violation of privacy right (RA 10173)
- ◆ unauthorized processing of personal & sensitive information: imprisonment (up to 6 yrs) & 500K+ pesos
- ◆ access due to negligence: up to 6 yrs & 500K-4M pesos

Risks

- ◆ violation of privacy right (RA 10173)
- ◆ improper disposal
- ◆ unauthorized access or intentional breach
- ◆ malicious disclosure
- ◆ unauthorized disclosure

Risk Mitigation

- ◆ definition and limits of data collection, access, use, disclosure, processing
- ◆ parameters for obtaining consent from the patient
- ◆ definition of the rights of patients participating in the Exchange
- ◆ information security
- ◆ 4. Provide guidelines for data protection

Health Privacy

- ◆ protection of the confidential nature of personal health information
- ◆ communications between health care provider and patient
- ◆ personal data and information about a patient's condition

13

Personal Information

- ◆ any info from which the identity of an individual is apparent or can be reasonably ascertained
- ◆ de-identified information? - due to risk of re-identification?

14

Sensitive Personal Information

- ◆ race, ethnic origin, color, religious, philosophical or political affiliations
- ◆ health, genetic, sexual, judicial proceedings
- ◆ issued by gov't agencies (social security, licenses, tax returns)
- ◆ classified by law

15

Info Processing in the Exchange

subject to legal requirements and adherence to general data privacy principles:

- ◆ transparency
- ◆ legitimate purpose
- ◆ proportionality

Rights of the Data Subject

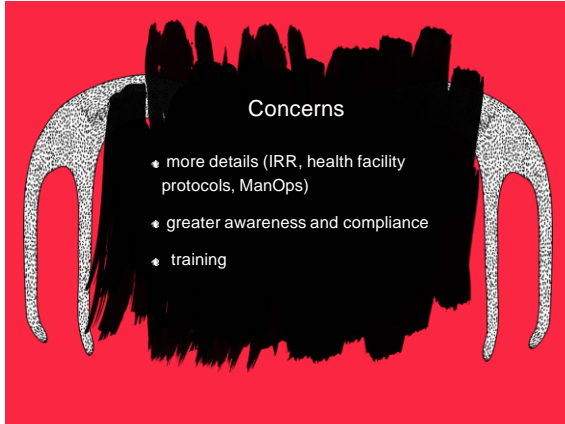
- ◆ be informed of personal information processing involved
- ◆ give consent to collection
- ◆ be furnished the ff info:
description, purposes, scope, methods used, recipients, how long (storage)

Rights of the Data Subject

- ◆ may NOT be applicable when used only for scientific & statistical research; no decisions are taken regarding the subject
- ◆ held under strict confidentiality and used only for the declared purpose

- Sec 19, Data Privacy Act of 2012

suspend, withdraw, order blocking, removal, destruction



Concerns

- ◆ more details (IRR, health facility protocols, ManOps)
- ◆ greater awareness and compliance
- ◆ training