

# IHS HIPAA Privacy Checklist

## (a) Subpart A – General Provisions

### (1) [§ 164.106 Relationship to other parts](#)

- Update SOR and/or policy

## (b) Subpart E – Privacy of Individually Identifiable Health Information

### (1) [§ 164.500 Applicability](#)

- Update SOR and/or policy
- May require business associate contract

### (2) [§ 164.501 Definitions](#)

- Update SOR and/or policy
- Refer to various IHS program offices for input
- Legal review of some definitions for IHS
- Some definitions need to be updated in current SOR and/or policy

### (3) [§ 164.502 Uses and disclosures of protected health information: general rules](#)

- Update SOR and/or policy. Have work group consisting of appropriate staff develop the policy and procedure

### (4) [§ 164.504 Uses and disclosures: organizational requirements](#)

- May require legal review from OGC to determine if this applies
- Have workgroup consisting of appropriate staff to develop the policy and procedure to implement

### (5) [§ 164.506 Consent for uses or disclosures to carry out treatment, payment, or health care operations](#)

- Refer to OGC for legal review
- Refer to various IHS program offices for input
- Have workgroup consisting of appropriate staff develop the written consent and the policy and procedure to implement

- (6) **§164.508 Uses and disclosures for which an authorization is required**
- Have workgroup consisting of appropriate staff develop the written authorization and the policy and procedure to implement
  - Refer to various IHS program offices for input
  - Update SOR and/or policy
- (7) **§ 164.510 Uses and disclosures requiring an opportunity for the individual to agree or to object**
- Have workgroup consisting of appropriate staff develop the policy and procedure to implement
- (8) **§ 164.512 Uses and disclosures for which consent, an authorization, or opportunity to agree or object is not required**
- Refer to OGC for legal review
  - Refer to various IHS program offices for input
  - Have workgroup consisting of appropriate staff develop the policy and procedure to implement
  - Update SOR and/or policy
  - Privacy Act more stringent; legal review of “serious & imminent threat.”
- (9) **§ 164.514 Other requirements relating to uses and disclosures of protected health information**
- Have workgroup consisting of appropriate staff develop written policy and procedure to implement
  - Update SOR and/or policy
  - Develop notice of privacy practices
- (10) **§ 164.520 Notice of privacy practices for protected health information**
- Update SOR and/or policy
- (11) **§ 164.522 Rights to request privacy protection for protected health information**
- Refer to Research for further review and input: implementation
  - Have workgroup consisting of appropriate staff develop written policy and procedure to implement

(12) **§ 164.524 Access of individuals to protected health information**

- Update SOR and/or policy
- Some parts of this section may not be applicable to IHS
- Refer to various IHS program office for input
- Have workgroup consisting of appropriate staff develop the policy and procedures to implement

(13) **§ 164.526 Amendment of protected health information**

- Have workgroup consisting of appropriate staff develop written policy and procedure
- Update SOR and/or policy

(14) **§ 164.528 Accounting of disclosures of protected health information**

- Have workgroup consisted of appropriate staff develop policy and procedure to implement
- Update SOR and/or policy

(15) **§ 164.530 Administrative requirements**

- At the HQ level, a PA Officer is a full-time position; Area-level, privacy act responsibilities are delegated in most cases to Medical Records positions; SU-level, PA responsibilities are covered by Medical Records Supv./HIMS staff.
- Have workgroup consisted of appropriate staff develop policy and procedure to implement
- Existing Area PA and contracted trainers (designed specific to IHS) can accomplish training
- Some parts of this section may not be applicable to IHS

(16) **§ 164.532 Transition provisions**

- Have workgroup consisted of appropriate staff develop policy and procedure to implement

(17) **§ 164.534 Compliance dates for initial implementation of the privacy standards**

- Compliance info for implementing