

JUNE 7-8, 2011

# TMA Privacy Weekly

TMA Privacy and Civil Liberties Office  
2011 DATA PROTECTION SEMINAR



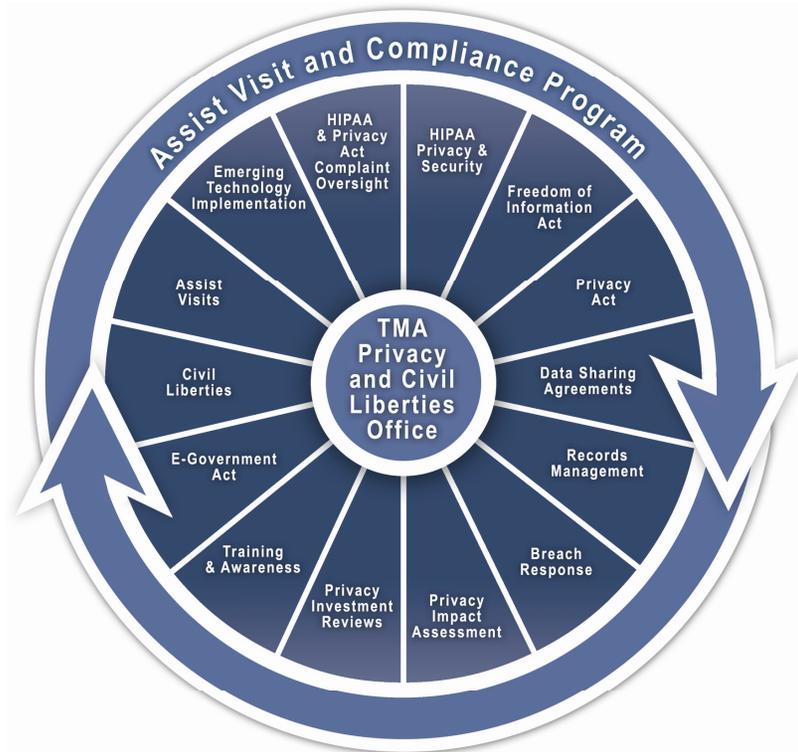
## Assist Visit Program: Supporting Data Compliance



# Assist Visit Program: Supporting Data Compliance

## Purpose

The purpose of this presentation is to introduce the TRICARE Management Activity (TMA) Privacy and Civil Liberties Office (Privacy Office) Assist Visit Program and highlight how the program can support TMA Program Offices, TRICARE Regional Offices (TROs), and TRICARE Area Offices (TAOs) in protecting personally identifiable information (PII) and protected health information (PHI).



HEALTH AFFAIRS



TRICARE  
Management Activity

# Assist Visit Program: Supporting Data Compliance Objectives

- Upon completion of this presentation, you should be able to:
  - Discuss the Privacy Office Assist Visit Program
  - Discuss how an assist visit can help your organization identify opportunities for improvement in complying with the Privacy Act and the Health Insurance Portability and Accountability Act (HIPAA) requirements
  - Discuss best practices that have been noted by the Assist Visit Program



HEALTH AFFAIRS



TRICARE  
Management Activity

# Assist Visit Program: Supporting Data Compliance

## Overview

- An assist visit:
  - Provides TMA Program Offices, TROs, and TAOs with an objective, on-site “courtesy review” of plans, policies and procedures for adherence to Privacy Act and HIPAA compliance requirements
  - Educates on policies, instructions, guidelines, and departmental and federal regulations governing privacy and HIPAA
  - Highlights the programs and functions of the Privacy Office
  - Serves as a feedback mechanism to the Privacy Office on possible issues or concerns affecting the TMA workforce in regards to safeguarding PII/PHI



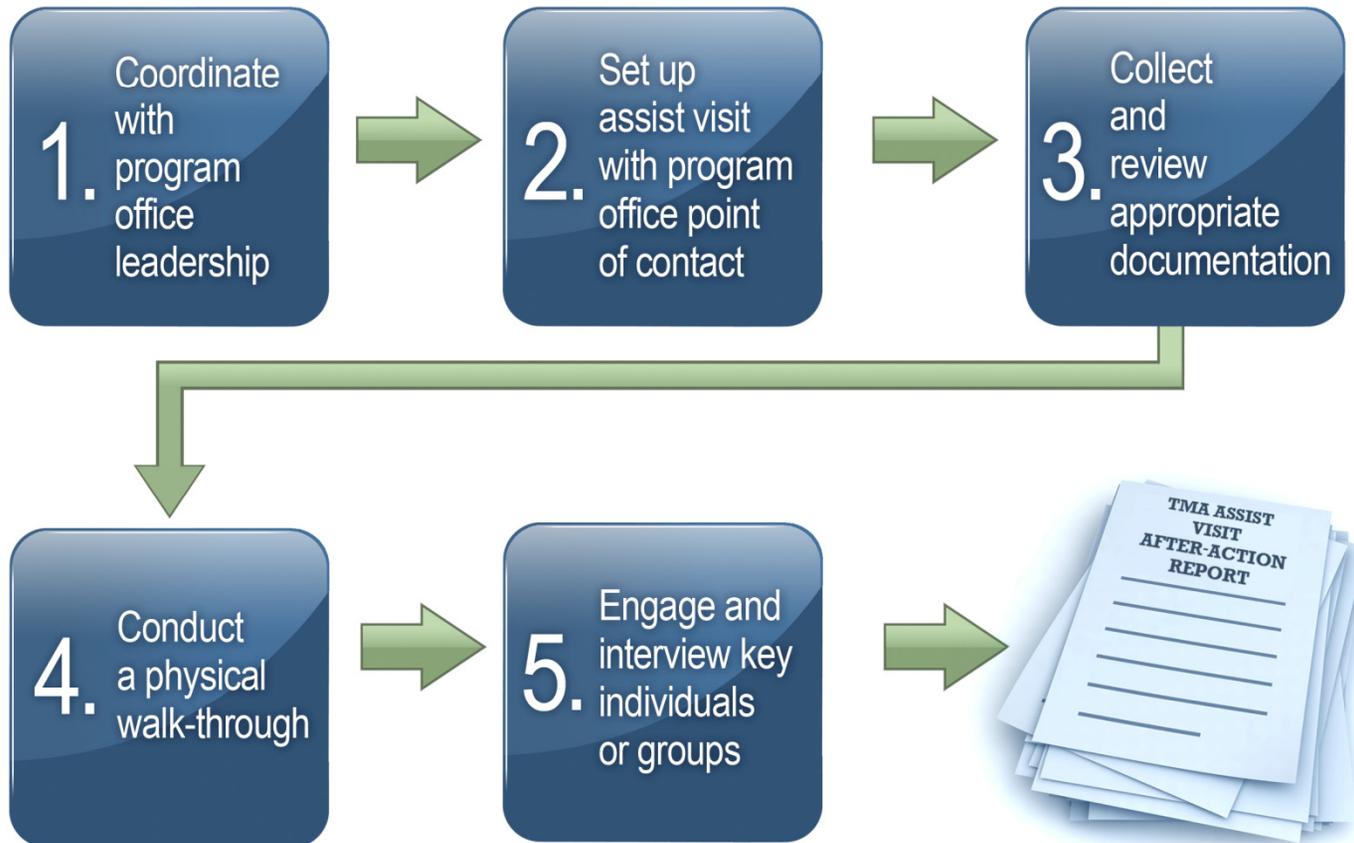
HEALTH AFFAIRS



TRICARE  
Management Activity

# Assist Visit Program: Supporting Data Compliance

## Assist Visit Approach



# Assist Visit Program: Supporting Data Compliance

## Benefits

- Provide breach prevention education and early intervention management
- Develop office specific recommendations for properly safeguarding PII/PHI
- Increase understanding of business associate agreements (BAAs), Privacy Impact Assessments (PIAs), and Data Sharing Agreements (DSAs)
- Ensure Contracting Officer Representatives have current Privacy Act and HIPAA language in contracts
- Provide Privacy and HIPAA training assistance
- Provide access to Privacy Office subject matter experts



HEALTH AFFAIRS



TRICARE  
Management Activity

# Assist Visit Program: Supporting Data Compliance

## TMA Findings

- Require further understanding of processing and tracking:
  - DSAs
  - BAAs
  - PIAs
  - System of Records Notices
- Request further explanation of the necessity and process for encryption
- Have expressed interest in how Privacy Act and HIPAA requirements impact TMA policies and procedures



HEALTH AFFAIRS



TRICARE  
Management Activity

## Assist Visit Program: Supporting Data Compliance

# TMA Findings (continued)

- Leverage Privacy Office Web site for timely information
  - For example:
    - Assist Visit Guide and Supplement
    - PIA Determination Checklist
    - DSA templates
    - DoD Administrative Instructions
- Request clearer direction on how the different Privacy Act and HIPAA training courses are accessed and assigned within Military Health System (MHS) Learn



HEALTH AFFAIRS



TRICARE  
Management Activity

# Assist Visit Program: Supporting Data Compliance

## Best Practices

- Some of the best practices found across TMA and TMA components include:
  - Document destruction company utilized on-site to ensure proper destruction of documents that may contain PII/PHI
  - Use of electronic locking systems (i.e., cypher lock)
  - Encryption of e-mails when sending PII/PHI to agencies outside of TMA network
  - Implement policies and standard operating procedures to ensure consistent secure privacy practices
  - Use of a biometric system in a file room containing PII (i.e., fingerprint)



HEALTH AFFAIRS



TRICARE  
Management Activity

# Assist Visit Program: Supporting Data Compliance

## Best Practices (continued)

- Use of daily logs and access logs for those accessing PII
- Knowledge of minimum necessary standard
- Implementation of chain-of-custody system for sensitive documents to minimize the risk of a breach
- Appointment of a centralized point of contact for:
  - Administrative activities
  - Training requirements
  - Privacy and HIPAA activities



HEALTH AFFAIRS



TRICARE  
Management Activity

# Assist Visit Program: Supporting Data Compliance Summary

- You should now be able to:
  - Discuss the Privacy Office Assist Visit Program
  - Discuss how an assist visit can help your organization identify opportunities for improvement in complying with the Privacy Act and the HIPAA requirements
  - Discuss best practices that have been noted by the Assist Visit Program



HEALTH AFFAIRS



TRICARE  
Management Activity

# Assist Visit Program: Supporting Data Compliance

## Resources

- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 24, 2003
- DoD 5400.11-R, “DoD Privacy Program”, May 8, 2007
- DoD 8580.02-R, “DoD Health Information Security Regulation”, July 12, 2007
- Memorandum for “TRICARE Management Activity Surveillance Program”, January 22, 2009
- To subscribe to the Privacy Office E-News, go to:  
<http://www.tricare.mil/tma/privacy/maillinglist.aspx>
- E-mail [Privacyassistvisit@tma.osd.mil](mailto:Privacyassistvisit@tma.osd.mil) for Assist Visit Program questions



HEALTH AFFAIRS



TRICARE  
Management Activity