

**CalOHII Communications**

**April 2020**

During the COVID-19 emergency, the California Office of Health Information Integrity (CalOHII) continues operations to support the state’s emergency preparedness efforts, maintain our efforts to support departments’ compliance, and monitor state and federal actions related to the Health Insurance Portability and Accountability Act (HIPAA) and healthcare industry.

CalOHII recently coordinated a collaborative effort with the Departments of Justice, Public Health and Consumer Affairs regarding telehealth in California. These efforts resulted in an Executive Order, signed by Governor Newsom on April 3, to expand protections to medical providers as they amplify the use of video chats and similar applications to provide routine and non-emergency medical appointments in an effort to minimize patient exposure to COVID-19. Executive Order N-43-20 is available on CalOHII [Emergency Information Sharing](about:blank) page.

For this month’s communications, our focus is on providing updates from the federal Health and Human Services (HHS) related to the COVID-19 emergency as well as updates on CalOHII activities. We are keeping our website up-to-date as state and federal guidance is made available. Please keep an eye on our home page for the most recent updates.

CalOHII will continue to support Agency and the Governor’s Office efforts related to health information disclosure and data sharing.

CalOHII is available to assist departments with any HIPAA related questions or technical assistance.

Elaine Scordakis  
Assistant Director

**CalOHII Updates**

* **COVID-19 Support** – CalOHII published guidance on *Disaster Response and Information Sharing during Emergencies* – available on the CalOHII [Emergency Information Sharing](about:blank) page. We are collaborating with several departments on state specific guidance on the use of telehealth for remote delivery of healthcare.
* **2020 Entity Assessment** - CalOHII has posted the results of the 2020 Entity Assessment on our website and completed communications to all impacted departments.
* **2020 Statewide Health Information Policy Manual (SHIPM) Update** – CalOHII continues work on the updates to the SHIPM. We are on track to publish the updated SHIPM in June.
* **Risk Analysis/Risk Assessment Focused Review** – CalOHII continues to review materials submitted by organizations.
* **HIPAA Compliance** - CalOHII has two (2) active Targeted Reviews underway and continues technical assistance efforts with several state entities.
* **State Legislation Review** – CalOHII continues to monitor 32 bills that have potential SHIPM impacts – the legislature is on recess until April 13th.

**HHS News**

* **HHS and the Office for Civil Rights (OCR) Guidance** – In response to the COVID-19 emergency, HHS and OCR have published several guidance bulletins regarding use of telehealth remote communications and disclosure of protected health information during emergencies. This information can be found on the CalOHII [Emergency Information Sharing](about:blank) page.
* **OCR Issues Fraud Alert** - an individual posing as an OCR Investigator has contacted HIPAA covered entities in an attempt to obtain protected health information (PHI).  HIPAA covered entities and business associates should alert their workforce members, and can take action to verify that someone is an OCR investigator by asking for the investigator’s email address, which will end in @hhs.gov, and asking for a confirming email from the OCR investigator’s hhs.gov email address.
* **The Substance Abuse and Mental Health Services Administration (SAMSHA) Guidance –** SAMSHA published guidance regarding COVID-19 public health emergency response and 42 CFR Part 2 to ensure uninterrupted services. This information can be found on the CalOHII [Emergency Information Sharing](about:blank) page.

**Contact Us…**

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

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