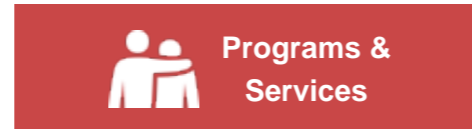


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FOR IMMEDIATE RELEASE
December 11, 2018

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Colorado hospital failed to terminate former employee's access to electronic protected health information

Pagosa Springs Medical Center (PSMC) has agreed to pay \$111,400 to the Office for Civil Rights (OCR) at the U.S. Department of Health and Human Services and to adopt a substantial corrective action plan to settle potential violations of the Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Rules. PSMC is a critical access hospital, that at the time of OCR's investigation, provided more than 17,000 hospital and clinic visits annually and employs more than 175 individuals.

The settlement resolves a complaint alleging that a former PSMC employee continued to have remote access to PSMC's web-based scheduling calendar, which contained patients' electronic protected health information (ePHI), after separation of employment. OCR's investigation revealed that PSMC impermissibly disclosed the ePHI of 557 individuals to its former employee and to the web-based scheduling calendar vendor without a HIPAA required business associate agreement in place.

Under the two-year corrective action plan, PSMC has agreed to update its security management and business associate agreement, policies and procedures, and train its workforce members regarding the same.

"It's common sense that former employees should immediately lose access to protected patient information upon their separation from employment," said OCR Director Roger Severino. "This case underscores the need for covered entities to always be aware of who has access to their ePHI and who

doesn't."

Covered entities that do not have or follow procedures to terminate information access privileges upon employee separation risk a HIPAA enforcement action. Covered entities must also evaluate relationships with vendors to ensure that business associate agreements are in place with all business associates before disclosing protected health information. The resolution agreement and corrective action plan may be found on the OCR website at <http://www.hhs.gov/hipaa/for-professionals/compliance-enforcement/agreements/pagosasprings>.

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