



National Committee on Vital and Health Statistics

Advising the Secretary of Health and Human Services
on health information policy since 1949.

Privacy, Confidentiality and Security Subcommittee

September 2015

- A. HIPAA Section 1179 public meeting and Letter to the Secretary**
- B. 18 month priorities for the PCS Subcommittee**



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subcommittee

Kloss, MA, RHIA co-chair

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What is the § 1179 HIPAA Exemption?

Section 1179 of the Health Insurance Portability and Accountability Act (HIPAA) creates an exemption from compliance with HIPAA and accompanying rules when a financial institution is

“engaged in authorizing, processing, clearing, settling, billing, transferring, or collecting payments.”



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Public Meeting on HIPAA Section 1179, May 6-7, 2015

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Understand the current and anticipated financial services practices
involving personal health data

Review how HIPAA Section 1179 is being interpreted and applied in light of
these practices, and

Identify areas where outreach, education, technical assistance, or guidance
may be useful.



Recommendation from NCVHS's 2004 Letter to the Secretary on Section

HHS should clarify the nature of the Section 1179 exemption and to whom it applies;

HHS should recommend to providers and payers that they use business associate agreements with financial institutions, and

HHS should consider whether encryption should be required for PHI moving through the ACH to ensure it is available only to final recipients.



potential topics for PCS Subcommittee?

data as an asset

non-HIPAA covered entities

wearables

mobile technology

wellness programs – recent issued guidance from

CR

predictive analytics