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News Release

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July 7, 2011Contact: HHS Press Office
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University of California settles HIPAA Privacy and Security case involving UCLA Health System facilities

UCLAHS to improve policies and procedures to better safeguard patient information

Following an investigation by the U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR), the University of California at Los Angeles Health System (UCLAHS) has agreed to settle potential violations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy and Security Rules for \$865,500 and has committed to a corrective action plan aimed at remedying gaps in its compliance with the rules.

The resolution agreement resolves two separate complaints filed with OCR on behalf of two celebrity patients who received care at UCLAHS. The complaints alleged that UCLAHS employees repeatedly and without permissible reason looked at the electronic protected health information of these patients. OCR's investigation into the complaints revealed that from 2005-2008, unauthorized employees repeatedly looked at the electronic protected health information of numerous other UCLAHS patients.

Through policies and procedures, entities covered under HIPAA must reasonably restrict access to patient information to only those employees with a valid reason to view the information and must sanction any employee who is found to have violated these policies.

"Covered entities are responsible for the actions of their employees. This is why it is vital that trainings and meaningful policies and procedures, including audit trails, become part of the everyday operations of any health care provider," said OCR Director Georgina Verdugo. "Employees must clearly understand that casual review for personal interest of patients' protected health information is unacceptable and against the law."

The corrective action plan requires UCLAHS to implement Privacy and Security policies and procedures approved by OCR, to conduct regular and robust trainings for all UCLAHS employees who use protected health information, to sanction offending employees, and to designate an independent monitor who will assess UCLAHS compliance with the plan over 3 years.

"Covered entities need to realize that HIPAA privacy protections are real and OCR vigorously enforces those protections. Entities will be held accountable for employees who access protected health information to satisfy their own personal curiosity," said Director Verdugo.

HHS OCR enforces the HIPAA Privacy and Security Rules. The Privacy Rule gives people rights over their protected health information and sets rules and limits on uses and disclosures of that health information. The Security Rule protects health information in electronic form by requiring entities covered by HIPAA to implement physical, technical and administrative safeguards to ensure that people's electronic protected health information remains private and secure.

Individuals who believe that a covered entity has violated their (or someone else's) health information privacy rights or committed another violation of the HIPAA Privacy or Security Rule may file a complaint with OCR at: <http://www.hhs.gov/ocr/privacy/hipaa/complaints/index.html>.

The HHS Resolution Agreement and CAP can be found on the OCR website at <http://www.hhs.gov/ocr/privacy/hipaa/enforcement/examples/UCLAHSracap.pdf>.

Additional information about OCR's enforcement activities can be found at <http://www.hhs.gov/ocr/privacy/hipaa/enforcement/examples/index.html>.

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Last revised: July 7, 2011