

February 25, 2010

## **HHS Posts List of Reported HIPAA Breaches Affecting 500 or More Individuals**

On February 22, 2010, the Department of Health and Human Services (HHS) Office for Civil Rights posted a [list of reports of breaches of unsecured protected health information](#) (PHI) affecting 500 or more individuals.

The list includes 36 breaches, affecting between 501 and 500,000 individuals. Twenty-seven of the breaches resulted from thefts of paper or electronic records. Other breaches were described as “Hacking/IT Incident,” “Loss,” “Incorrect Mailing,” “Unauthorized Access,” “Misdirected Email,” and “Phishing Scam.” The breach affecting the largest number of individuals was reported by Blue Cross Blue Shield of Tennessee. There, a theft of hard drives resulted in breaches of unsecured PHI affecting half a million individuals.

A wide array of covered entities is represented on the list. They include a state Medicaid agency, children’s hospitals, a Medicare managed care organization, and various unidentified “Private Practices.” The list also indicates that several business associates, including marketing firms and computer services firms, were involved in the breaches.

The HI-TECH Act, part of the American Recovery and Reinvestment Act of 2009, requires covered entities to report breaches affecting 500 or more individuals to HHS within 60 days of discovery of the breach and requires that HHS post on its website a list of these reported breaches.

As a reminder, the HI-TECH Act also requires covered entities to file with HHS annual reports of breaches affecting fewer than 500 people by March 1. Every covered entity must report all breaches occurring on or after September 23, 2009, by March 1, 2010. Breaches are reported via the [HHS website](#), which includes instructions and information for making reports.