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OCR HIPAA Audit Contractor Comments on First Round of Audits

Michael Ebert, national HIPAA services leader for audit contractor KPMG, recently made his first public comments following the completion of his company's first twenty on-site HIPAA audits. While the Department of Health and Human Services Office for Civil Rights (OCR) will not release audit findings until the end of 2012, Mr. Ebert's comments offered some clues as to the possible direction of those findings that should be valuable to all HIPAA covered entities.

Most noteworthy was Mr. Ebert's advice to covered entities that they "do a risk analysis, risk assessment." He commented that the failure to do risk analyses and assessments was "the biggest weakness we see." Giving an example of a large pharmacy chain that failed to provide private consultation areas at many of its locations, Mr. Ebert urged covered entities to think about safeguarding paper and oral health information, not only information in electronic format.

Another ninety-five audits are expected to be concluded during the remainder of 2012. The findings will not identify the covered entities that were audited. Instead, OCR plans to release what Mr. Ebert referred to as "both better practices and weaknesses the industry has" in meeting HIPAA requirements. Along with the first year's findings, OCR has stated that it will also release the audit protocol developed by OCR and KPMG. Mr. Ebert described the protocol's creation as an "arduous" task that was particularly difficult with regard to Security Rule compliance. He noted that KPMG auditors have "seen a lot of issues at complex entities" in the area of Security Rule compliance.

Is *your* organization in compliance with the Security Rule? The Privacy Rule? Don't wait for an OCR audit to find out. The consultants of INCompliance will conduct a thorough HIPAA audit of your organization, and we will work with you to correct any deficiencies *before* the government's auditors arrive at your doorstep.

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