



## Oklahoma State University

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| <b>Title: Standard of Notification to the Secretary</b>                                       | <b>Policy #: BRE-04.00</b>                              |
| <b>Category: HIPAA Compliance</b>   | <b>Authority: 45 CFR<br/>HIPAA SECTION: §164.408(a)</b> |
| <b>Standard: Notification in the Case of Breach of Unsecured Protected Health Information</b> | <b>Responsibility: Health Care Components</b>           |
| <b>Effective Date: 3/26/2013</b>  | <b>Page 1 of 1</b>                                      |
| <b>Approved By: OSU Legal Counsel</b>   | <b>Revised: 6/1/2013</b>                                |

### **PURPOSE:**

To establish the method(s) of how OSU will notify the Secretary for the Department of Health and Human Services in the event of a breach.

### **POLICY:**

1. OSU shall, following the discovery of a breach of unsecured PHI notify the Secretary. *§164.408(a)*
2. Breaches involving 500 or more individuals. For breaches of unsecured PHI involving 500 or more individuals, OSU shall, except with the provision of Law Enforcement, provide the required notification contemporaneously with the notice that is required for individuals and in the manner specified on the HHS Web site. *§164.408(b)*
3. Breaches involving less than 500 individuals. For breaches of unsecured PHI involving less than 500 individuals, OSU shall maintain a log or other documentation of such breaches and, not later than 60 days after the end of each calendar year, provide the notification required by paragraph 1 of this policy for breaches discovered during the preceding calendar year, in the manner specified on the HHS Web site. *§164.408(c)*

### **PROCEDURE:**

1. OSU's HIPAA Compliance Office shall notify the Secretary of all breaches on the HHS Website, as stated in the policy above.