

April 2016

Dear Doctor:

The American Dental Association is pleased to provide you with your 2016 update of *The ADA Practical Guide to HIPAA Compliance: Privacy and Security Manual*. We compiled a variety of information and resources to help you stay up-to-date on the most recent HIPAA compliance developments.

### HIPAA Manual Updates

HIPAA continues to bring many technical challenges for dental practices. Among these is data encryption. With this in mind, we have updated the manual's **Full Disk Encryption Q&A**. We have also included a new appendix, **Phishing and Social Engineering Threats: Information and Sample Policy**. See the enclosed green instructions sheet for guidance on where to insert these documents in your HIPAA manual.

If you are looking for a resource to assist you with email encryption for your practice, ADA Business Resources has selected PBHS Inc. as the endorsed Secure E-Mail and Collaboration System for the association's 157,000 members. This product is designed to help dentists, specialists, staff and patients easily communicate within a HIPAA-compliant environment. For more information, visit <https://www.pbhs.com/securemail>.

### Supplementary Information

For your information, we are including a document that summarizes some recent examples of HIPAA privacy breaches and settlements. These examples are intended as learning tools to help dental practices avoid situations and behaviors that may leave your practice vulnerable to possible HIPAA breaches. You may also wish to use these examples to update your HIPAA Security risk analysis, and implement additional security measures to reduce new risks and vulnerabilities.

### HIPAA Resources

The following resources are meant to educate you and your staff on some of the latest topics in HIPAA compliance. Please note that we have included this letter as an electronic document on the enclosed flash drive so you do not have to manually type in the links.

- **A Guide to Privacy and Security of Electronic Health Information**

A revision is available of the *Guide to Privacy and Security of Electronic Health Information* from the U.S. Department of Health and Human Services Office of the National Coordinator of Health Information Technology (ONC).

According to ONC, the revision includes new, practical information about privacy and security to small and medium-sized provider practices as well as others, including business associates.

More information and a link to the revised Guide is available on the ONC website at:

<http://www.healthit.gov/buzz-blog/privacy-and-security-of-ehrs/onc-guide-privacy-security>

- **Guidance on Workplace Wellness Programs**

Some employers may offer "workplace wellness programs" to encourage employees to make healthy lifestyle choices. If a covered dental practice implements a workplace wellness program for its employees, HIPAA may or may not apply, depending on how the program is structured.

The Office for Civil Rights developed guidance on HIPAA and workplace wellness programs. The guidance is available at: <http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/wellness/index.html>.

Note that, in addition to HIPAA, other federal, state and local laws may apply to a workplace wellness program, such as the Americans with Disabilities Act. A dental practice would be prudent to have a qualified attorney or other professional review any workplace wellness program prior to implementation.

We hope you find this update helpful, and continue to look to the ADA for resources to support your dental practice HIPAA compliance program.

Regards,

A handwritten signature in black ink that reads "Kathleen T. O'Loughlin DMD MPH". The signature is written in a cursive, flowing style.

Kathleen T. O'Loughlin, D.M.D., M.P.H.  
Executive Director/Chief Operating Officer