

First Step Toward Compliance: OCR Outreach

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Though the Office for Civil Rights (OCR) has played an active role in the Department of Health and Human Services (HHS) since the early 1980s, it has only recently moved to the forefront of HIM professionals' minds. Charged with enforcing the HIPAA privacy rule, OCR has become the leading source of implementation information.

Education First

Headquartered in Washington, DC, OCR has 10 regional offices to provide education and enforce compliance. Education is, in fact, the primary focus. The office issued its first guidance on the privacy rule in June 2001, and additional guidance is forthcoming.

"The more information we can give to people and the more we work cooperatively with providers and beneficiaries, the greater likelihood there will be compliance. We want to get people into compliance so the need for enforcement is minimized," says Robinsue Frohboese, JD, PhD, principle deputy and acting director of OCR. This is also a focus of HIPAA, Frohboese notes. "The government built in a period to focus on coming into compliance and we're taking advantage of that time for extensive public education, technical assistance, and outreach."

A newly created privacy team within OCR is chiefly responsible for the education and outreach efforts. The three-person team (which includes Linda Sanches, a primary drafter of the privacy rule) works with covered entities in the private and public sector to provide information about HIPAA and technical support.

"We have a large number of requests from just about every imaginable provider to speak at meetings and conferences. Next year, we'll be systematically ensuring that if a covered entity did not request OCR outreach, OCR will reach it," Frohboese says. Some of the most frequently asked questions at OCR presentations include:

- Is my organization a covered entity?
- Are patient sign-in sheets in doctors' offices and clinics acceptable?
- What physical changes will my office or clinic need to make to comply with the privacy rule?
- What is the definition of protected health information?

OCR also plans to provide covered entities with technical assistance materials in response to questions, model forms, and practical advice.

While HIM professionals prepare their staffs for privacy rule implementation, OCR is undergoing a similar process. "We made a concerted effort last year to hire a number of additional people to focus specifically on privacy. We've put together a very solid and comprehensive team to work on the technical assistance piece and the policy piece. We're building up our team: building up regional capacity and investigative staff," Frohboese says. "It's fair to say that part of what we're doing is also doing internal training within OCR—directing outreach both inward and outward."

More than HIPAA

In addition to its HIPAA enforcement duties, OCR is responsible for enforcing 21 different federal statutes and regulations. The Office's mission—promoting and ensuring that people have equal access and opportunity to participate and receive services in all HHS programs without facing unlawful discrimination—is upheld through numerous initiatives. Other OCR priorities are:

- **Eliminating racial and ethnic disparities in healthcare.** The initiative focuses on ensuring access to healthcare regardless of race and ethnicity.

- **Language assistance to persons with limited English proficiency.** Through guidance and enforcement, OCR is ensuring access to federal health and social services for people with limited English skills.
- **The New Freedom Initiative for Americans with Disabilities Act.** A recent executive order called for federal agencies to assist states in expanding community-based services for persons with disabilities.
- **The Multi-ethnic Placement Act and Interethnic Adoption Provisions.** The initiative is aimed at removing barriers to permanency and ensuring adoption and foster placement are not denied or delayed due to race or national origin.

For more information about the Office for Civil Rights, go to www.hhs.gov/ocr.

—J.J.

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