

Privacy and Security: Are Two Hats Better Than One?

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by William Woloszyn, RHIA

Who, me? Work as both a privacy officer and a security officer? It may seem impossible, but it can be done. While the roles of privacy officer and security officer are often presented as two distinct jobs in relation to HIPAA, if a lack of resources or personnel demand it, a daring HIM professional can take on both at the same time.

Don't assume, however, that combining the functions of these two roles will be an easy solution. Disagreements and conflicts often arise. Each individual's role should be well defined in order to prevent conflicts.

Drawing the Line

There seems to be a distinct overlap in terms of the definition of both the security and privacy officer jobs. According to AHIMA's privacy officer job description, the privacy officer "oversees all ongoing activities related to the development, implementation, maintenance of, and adherence to the organization's policies and procedures covering the privacy of, and access to, patient health information in compliance with federal and state laws and the healthcare organization's information privacy practices."¹

The proposed HIPAA security rule defines the security officer's duties as "the management and supervision of (1) the use of security measures to protect data, and (2) the conduct of personnel in relation to the protection of data." This assignment is critical to provide an organizational focus and importance to security and to pinpoint responsibility.

HIPAA includes administrative procedures as a component of the security measures, arguably a function of both privacy and security officers. This provokes a conflict and raises the question: where do you draw the line between security and privacy policy and procedures? This question will need to be addressed as organizations develop policies and procedures.

A Basis for Comparison

The skills required for a privacy officer and security officer are similar. This person must be decisive, firm, and a clear communicator. Both the privacy and the security officer must have an eye for detail and clear ideas of right and wrong. Privacy (protection from wrongful disclosure) and security (protection from destruction, tampering, and unavailable access) are unique and yet unavoidably connected. Both positions share similar skills and responsibilities, but they may vary in regard to the interpretation of risk and agreement of solutions to apply.

A Matter of Opinion

The two roles may differ in other ways as well. One example is the way they view solutions to different problems. A technical solution may be ironclad and "secure" but in all practical ways useless because it has unacceptable "response time." A practical solution may be found in policy to "log all disclosures," but the question arises: technically, how will this happen? Will it happen by having centralized control of all disclosures? Are the two positions' understanding of operations broad enough to ensure consideration of the impact to clinical care or patient satisfaction when making decisions? Another challenge will be applying sanctions equally—from the CEO to the file clerk. Both are liable under HIPAA if they violate a rule. When one person fills both roles, using both perspectives may be a challenge.

Privacy and security officers both need to be able to consider technical solution limitations in practical versus theoretical terms. How can you really have a grasp on what needs to happen if you don't understand the options for getting there?

The Best of Both Worlds

There are advantages to having two people fill the privacy and security roles. Potentially, they can produce more work together than individually. If they work as a team, they can act as checks and balances in tough decisions and directing initiatives. And, ultimately, they can provide backup for each other.

It is clear that HIPAA makes both privacy and security roles important, but it does not mandate separation of the two roles. However, if resources or organizational limits require, the functional overlap permits one person to hold both roles. Wearing two hats may not be for everyone, but an awareness of the challenges can help navigate around the pitfalls.

Note

1. AHIMA. Position Statement—Privacy Official. February 2001. Available in AHIMA's HIM Body of Knowledge.

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Article citation:

Woloszyn, William. "Privacy and Security: Are Two Hats Better than One?" *Journal of AHIMA* 73, no.6 (2002): 59.

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