

## **62 million hours for medical records privacy**

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62 million hours per year – this is what the Department of Health and Human Services estimates as the time burden imposed upon entities for complying with the Health Insurance Portability and Accountability Act's record-keeping requirements.

In a notice published in the Federal Register on July 29, 2009, the Secretary, DHHS disclosed the 62,254,161 hour total as her estimate of the annual burden of complying with HIPAA's record-keeping provisions. This burden falls on everyone, as the Secretary noted: "The affected public includes individuals, public and private businesses, state and local governments."

The Secretary estimated the overwhelming majority of this time, 61,300,000 hours, will be spent by providers giving patients information regarding HIPAA and getting acknowledgment from patients of their receipt of HIPAA information. The Secretary based this number upon her estimate that there will be 613,000,000 times a patient is provided his or her HIPAA rights.

The Secretary also reported that approximately 6 minutes is spent with each patient disseminating HIPAA information and obtaining the patient's acknowledgment. Even for small clinics, this can amount to a significant time that must be devoted to HIPAA advisements alone. It is important that providers establish effective and efficient mechanisms to ensure they satisfy their obligations.

HIPAA imposes many other obligations beyond providing advisements to patients. The estimated 62,254,161 hours does not include time providers must spend to establish a HIPAA compliance program, train staff regarding their HIPAA obligations, monitor to ensure HIPAA compliance, or investigate and respond to alleged violations.

The Secretary also published a notice regarding the written complaints received by the Office for Civil Rights regarding alleged discrimination by certain health care entities as well as written complaints regarding alleged privacy rights violations. The Secretary estimated that 8,944 individuals, households, or non-profits would submit health information privacy complaint forms and that completing these forms would take 6,708 hours.

The HIPAA regulations and requirements are extensive and can be confusing and time-consuming to implement. Providers whose staffs face time demands may overlook the HIPAA requirements or place them as a low priority. This would be a mistake. It is important for providers to develop and implement an effective and efficient HIPAA policy for fully adhering to federal privacy requirements which minimizes the time burden upon their practice.

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