



DBPM Amendment 12
Attachment B12 – Changes to Attachment B, Statement of Work

Item	Change From	Change To	Justification
1	[new provisions]	<p><u>2.1.5 HIPAA Disclosure Process</u></p> <p><u>2.1.5.1 The Contractor shall protect confidential information and documents in accordance with 42 U.S.C. §671(a)(8), 42 U.S.C. §5106a, 42 U.S.C. §290dd-2, 45 CFR §1355.21, 45 CFR §205.50, 45 CFR §1355.30, 42 CFR Part 2, La. R.S. 46:56, and 45 CFR Parts 160 and 164, as applicable. The Contractor shall disclose in writing any use or disclosure of Protected Health Information (PHI) other than as permitted by the Contract within three (3) Calendar Days of becoming aware of the use or disclosure.</u></p> <p><u>2.1.5.2 The Contractor is required to submit incident reports affecting Providers or Enrollees receiving services to LDH with a CAP and timelines for implementation of correction for approval by LDH within ten (10) Business Days of the Contractor’s discovery of any HIPAA breaches, as defined at 45 CFR §164.402. The incident report shall include, at a minimum:</u></p> <p><u>2.1.5.2.1 Date of discovery.</u></p> <p><u>2.1.5.2.2 Date or date range of violation/potential violation.</u></p> <p><u>2.1.5.2.3 Cause of the incident including sequence and mechanisms.</u></p> <p><u>2.1.5.2.4 Number of unauthorized individuals who viewed PHI.</u></p> <p><u>2.1.5.2.5 Number of affected individuals whose PHI was compromised.</u></p> <p><u>2.1.5.2.6 Steps taken to correct this incident to date, and planned steps to correct incident.</u></p> <p><u>2.1.5.2.7 Steps taken to prevent reoccurrence from happening in the future.</u></p> <p><u>2.1.5.2.8 Steps taken to mitigate any harmful effects caused by the unauthorized disclosure.</u></p> <p><u>2.1.5.2.9 Any training or other corrective action targeted to the Contractor.</u></p>	This revision establishes a process for the unauthorized use or disclosure of PHI.

		<p><u>2.1.5.2.10 Plans for notification of CMS/HHS.</u></p> <p><u>2.1.5.2.11 Notification plan to individuals.</u></p> <p><u>2.1.5.2.12 A risk assessment which includes the following:</u></p> <p><u>2.1.5.2.12.1 The nature and extent of the PHI involved, including the types of identifiers and the likelihood of re-identification.</u></p> <p><u>2.1.5.2.12.2 The unauthorized person who used the PHI or to whom the disclosure was made.</u></p> <p><u>2.1.5.2.12.3 Whether the PHI was actually acquired or viewed.</u></p> <p><u>2.1.5.2.12.4 The extent to which the risk to the PHI has been mitigated.</u></p> <p>[subsequent provisions renumbered]</p>									
2	<p>7.1 Glossary</p> <p>...</p> <table border="1" data-bbox="231 829 744 971"> <tr> <td>Rural Area</td> <td>Any parish that meets the federal Office of Management and Budget definition of rural.</td> </tr> </table> <p>...</p> <table border="1" data-bbox="231 1029 744 1198"> <tr> <td>Urban Area</td> <td>Any parish that meets the federal Office of Planning and Budget definition of urban.</td> </tr> </table>	Rural Area	Any parish that meets the federal Office of Management and Budget definition of rural.	Urban Area	Any parish that meets the federal Office of Planning and Budget definition of urban.	<p>7.1 Glossary</p> <p>...</p> <table border="1" data-bbox="766 829 1951 930"> <tr> <td>Rural Area</td> <td>Any <u>area outside an urban area.</u> parish that meets the federal Office of Management and Budget definition of rural.</td> </tr> </table> <p>...</p> <table border="1" data-bbox="766 992 1951 1198"> <tr> <td>Urban Area</td> <td>Any parish that meets the federal Office of Planning and Budget definition of urban. <u>A Metropolitan Statistical Area (MSA), as defined by the Executive Office of Management and Budget and applied to Census Bureau data. The most recent delineation files and maps are located at https://www.census.gov.</u></td> </tr> </table>	Rural Area	Any <u>area outside an urban area.</u> parish that meets the federal Office of Management and Budget definition of rural.	Urban Area	Any parish that meets the federal Office of Planning and Budget definition of urban. <u>A Metropolitan Statistical Area (MSA), as defined by the Executive Office of Management and Budget and applied to Census Bureau data. The most recent delineation files and maps are located at https://www.census.gov.</u>	<p>This revision defines urban vs. rural areas to align with the Medicare program definition (42 CFR §412.62).</p>
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