

## **Policy paper prospects**

### **Introduction**

HIPAA, or the Health Insurance Portability and Accountability Act, is a U.S. law designed to safeguard individuals medical information and ensure its privacy and security. It establishes rules for healthcare providers, insurance companies, and related entities in handling patient data. HIPAA grants patients control over their health information, including the right to access and request amendments to their records. It also imposes strict regulations on the sharing and disclosure of medical data to protect against unauthorized access and data breaches. Overall, HIPAA aims to strike a balance between healthcare data accessibility and the protection of patients' sensitive information.

### **Problem Statement**

HIPAA security controls are in my line of study and 30 years into HIPAA it's time to see still current or need to be revised, Are citizens in the united states entitled to privacy and seem to be provided by 4<sup>th</sup> Amendment of the constitution entitled to privacy but the problem is they are loosing privacy based upon the business practices of the organizations they do business with because of hackers or also businesses use that private data to monetize it and sell it which benefit the business not the person.

### **Objectives**

People who undergo medical treatment are entitled to privacy and accuracy in the electronic records about them with is a human right to have privacy in medical information and also better medical outcomes when integrity of the medical records. Problem statement is that American Citizens are not getting private secure accurate experience with their Health Information well how do we fix that, Somebody feel that HIPAA will fix that, Is HIPAA helpful to fix that and if not we should recommend something else.

### **Options**

- Sometimes the answer is more law.
- Sometimes the answer is leave it to the 50 states they will do the law.
- Sometimes the answer is taking all Government out of it and leaving it to Industry.

### **Analysis the option**

1. Make a federal law for entire Unites states of America and every state is entitled to follow it.
2. Leave it to 50 states means let the state make their own laws and we will be having 50 different laws so if the Business in one state will servers on second state with hacker on third state it will be difficult to say who takes responsibility and conflicts will arise.
3. Leaving it to industry means letting them have a Security Report card to themselves so the customer can analyze and select the more secure one.

## Recommendation

I don't think people make their choice about Hospital based on a security report card they are going to make their choice for life threatening help in their neighborhood closest proximity. But there are many industries I can choose mobile provider, Furniture, Mortgage lender etc., where I don't have to make the decision right away and I can shop around. I recommend leaving it to industry. Because now a days Health Industry have their own IT teams, Research etc., And have an Audit team from Government to check for Compliance if not instead of fines Withholding their licenses and this approach saves Budget to Government.

## Citations

- [1] <https://www.govinfo.gov/content/pkg/FR-2013-01-25/pdf/2013-01073.pdf>
- [2] <https://www.govinfo.gov/content/pkg/FR-2010-07-14/pdf/2010-16718.pdf>
- [3] <https://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/understanding/coveredentities/federalregisterbreachrfi.pdf>
- [4] <https://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/administrative/privacyrule/moneypenalties.pdf>
- [5] <https://www.hhs.gov/about/news/2023/10/31/hhs-office-civil-rights-settles-ransomware-cyber-attack-investigation.html>