



CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY  
DEPARTMENT OF PUBLIC HEALTH

STATEMENT OF DEFICIENCIES PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  050238	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED  06/10/2014
NAME OF PROVIDER OR SUPPLIER Methodist Hospital of Southern California		STREET ADDRESS, CITY, STATE, ZIP CODE 300 W Huntington Dr, Arcadia, CA 91007-3402 LOS ANGELES COUNTY		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS- REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
	<p>(Employee 1, 2 and 3) accessed Patient 1's electronic medical record without authorization or a legitimate reason to do so.</p> <p>Findings:</p> <p>An unannounced visit was made at the facility on June 10, 2014 to conduct an investigation of a breach of confidentiality of a medical record involving three facility employees unlawfully accessing a coworker's electronic medical record without authorization.</p> <p>During an interview on June 10, 2014, at 8:55 a.m., the privacy and compliance coordinator stated three employees accessed the medical record of Patient 1.</p> <p>A review of the Patient Information Sheet indicated Patient 1 was admitted to the facility on February 15, 2014 with a diagnosis of chest pain.</p> <p>The "Fair Warning" audit conducted by the facility indicated the following:</p> <p>Employee 1 accessed Patient 1's medical record information without a legitimate reason to do so on February 15, February 16 and February 17, 2014. Employee 1 explained that a co-worker told her Patient 1 was admitted to the hospital. Out of concern for the patient, he went into Patient 1's record to "check in" on her on 3 separate occasions. Employee 1 stated his intentions were good and did not realize this was a breach in privacy.</p>		<p>The Chief Compliance and Risk Officer was responsible for altering the New Hire Presentation materials and for providing this training 1-2 times monthly to new hires.</p> <p>The Privacy Coordinator attended a one week training course on Fairwarnings to enhance specificity of monitoring access.</p> <p>C. Plan for continued compliance and description of the monitoring process to prevent recurrence of the deficiency; and Date the immediate correction of the deficiency will be accomplished</p> <p>Upgraded rules of Fairwarning to better capture those employees who are patients &amp; need additional controls and oversight of access by other employees.</p> <p>Ongoing Environment of Care Rounding's by the Privacy Coordinator will randomly audit compliance of Safeguards and HIPAA Privacy Compliance.</p> <p>Ongoing User Activity by the Privacy Coordinator will randomly audit compliance of Confidentiality Computer Agreements.</p> <p>Mandatory completion of annual educational training which includes topics on "HIPAA Privacy and Security Safeguards".</p> <p>100% compliance achieved with the completion of the annual "Educational Day" Swank Learning Module in 2014 &amp; 2015. Currently at 99.50% for 2016.</p>	<p>08/01/2014</p> <p>05/03/2015</p> <p>07/01/2015</p> <p>3/13/2014</p> <p>03/13/2014</p> <p>Annually</p>

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	<p>Employee 2, who also accessed Patient 1's medical record information without a legitimate reason to do so on February 15, 2014, stated she had gone into the system to find the room number of Patient 1 after learning from Patient 1 that she was admitted to the hospital. Patient 1 had contacted Employee 2 personally and requested her to visit her.</p> <p>Employee 3 stated she checked Patient 1's chart. She had visited Patient 1 on February 15, 2014 and learned her blood pressure was high. On February 16, 2014, she checked Patient 1's chart to see if she was doing better.</p> <p>A review of the Confidentiality, Computer Usage and Accountability Agreement indicated Employee 1 signed the document on March 19, 2013. According to that document, employees of the hospital agree to only use confidential information (e.g. medical record information) as needed to perform their legitimate duties as an employee receiving information from the hospital, only access confidential information for which they need to know and not misuse confidential information or carelessly care for confidential information.</p> <p>The document titled, Confidentiality and Disclosure of Patient Information Agreement for Employee 2 indicated the employee signed the document on May 13, 2008.</p> <p>The document titled, Confidentiality and Disclosure of Patient Information Agreement for Employee 3</p>		<p>Revised Confidentiality Agreement report to enhance expectations of all employees signing in 2016. Expectation for 100% signatures by June 2016. All 3 involved employees signed.</p>	<p>In progress, to be completed at year end 2016.</p>

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	<p>indicated the employee signed the document, however did not date the form. The New Employee Orientation Checklist dated November 12, 2007 and signed by Employee 3 on November 12, 2007 included HIPAA (Health Insurance Portability and Accountability Act).</p> <p>A review of the facility's report to the Department dated February 28, 2014 indicated, "three employees did inappropriately access their coworker's electronic health record." The report also indicated, "The documents viewed contained the patient's name, date of birth, medical record number, account number and clinical information."</p> <p>Based on the findings, the facility failed to prevent access of medical information of one patient, by three employees, without authorization or a legitimate reason to do so, in violation of Health and Safety Code Section 1280.15(a).</p>			

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