



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MEDICAL COMMAND
2748 WORTH ROAD
FORT SAM HOUSTON, TEXAS 78234-6000

OTSG/MEDCOM Policy Memo 11-085

MCHO-CL-P

1 8 OCT 2011

Expires 18 October 2013

MEMORANDUM FOR

**COMMANDERS, MEDCOM MAJOR SUBORDINATE COMMANDS
DIRECTORS, OTSG/MEDCOM ONESTAFF**

SUBJECT: Privacy Act (PA) and Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Training

1. References:

- a. DoD 6025.18-R, Department of Defense Health Information Privacy Regulation, paragraph C14.2, Jan 03.
- b. DoD 5400.11-R, Department of Defense Privacy Program Regulation, paragraph C.7, 14 May 07.
- c. DoD 8580.02-R, Department of Defense Health Information Security Regulation, paragraph C2.6, 12 Jul 07.
- d. MEDCOM Regulation 10-1, Organizations and Functions Policy, paragraph 1-9d(5), 6 May 09.
- e. Memorandum, Office of the Secretary of Defense, Administration and Management, Senior Privacy Official, 5 Jun 09, subject: Safeguarding Against and Responding to the Breach of Personally Identifiable Information (PII).
- f. AR 40-66, Medical Record Administration and Health Care Documentation, paragraph 2-2e, 4 Jan 10.

2. Purpose: To establish a policy for PA and HIPAA privacy and security training.

3. Proponent: The proponents for this policy are the OTSG/MEDCOM Freedom of Information Act /Privacy Act (FOIA/PA) Officer for the PA, the Deputy Assistant Chief of Staff for Information Management for HIPAA security and the Patient Administration Division, MEDCOM for HIPAA privacy.

*This policy supersedes OTSG/MEDCOM Policy Memo 09-080, 6 Oct 09, subject: Privacy Act (PA) and Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Training.

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4. Policy:

a. All military, civilian, and contractor personnel who work in the Office of The Surgeon General and US Army Medical Command organizations listed below must complete core and annual refresher PA and HIPAA training. This requirement also applies to volunteers, trainees, activated Reservists and any other person whose conduct, in the performance of their work, is under the direct control of these organizations, whether or not they are paid by the organizations. These organizations are as follows:

- (1) OTSG/MEDCOM Headquarters OneStaff
- (2) Army Executive Agencies
- (3) Dental Command
- (4) Warrior Transition Command
- (5) Public Health Command
- (6) Medical Research and Materiel Command
- (7) Army Medical Department Center and School
- (8) Regional Medical Command headquarters and medical treatment facilities (MTFs)
- (9) Regional Dental Command headquarters and dental treatment facilities (DTFs)
- (10) Regional Public Health Command headquarters, subordinate districts, and veterinary treatment facilities (VTFs)

b. Individuals will complete annual refresher training as part of their individual birth month annual review (BMAR). Individuals completing core training within 6 months of their birth month are given credit for completing annual refresher training.

c. Military Health System (MHS) Learn, <https://mhslearn.csd.disa.mil> is the official PA and HIPAA training site. MHS Learn is the Department of Defense sanctioned system that provides the content, documents training status, and produces compliance reports. All PA and HIPAA training is recorded and compliance monitored in MHS Learn.

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d. Each organization's in and out processing procedures should include PA and HIPAA training completion.

e. Personnel are not authorized access to electronic networks containing personally identifiable information (PII) or protected health information (PHI) until they complete the required core training upon arrival. Personnel not completing refresher training within their birth month or within 15 days after the end of their birth month will lose access to electronic networks containing PII or PHI.

5. Responsibilities:

a. MTF, DTF, and VTF commanders will ensure that personnel working in their facilities complete PA and HIPAA training immediately upon their arrival and complete annual refresher training in their birth month. MTF, DTF, and VTF commanders are responsible for the training of their personnel on local policies and procedures for safeguarding personally identifiable information to include protected health information.

b. Directors of Health Services will encourage unit surgeons to ensure that personnel assigned to battalion aid stations are PA and HIPAA trained immediately upon their arrival and complete annual refresher training in their birth month.

c. Commanders of major subordinate commands, directors of executive agencies, and Directors, One Staff will ensure all their personnel receive PA and HIPAA core and annual refresher training. These Commanders and Directors will ensure their personnel are PA and HIPAA trained immediately upon their arrival and complete annual refresher training in their birth month.

d. The OTSG/MEDCOM FOIA/PA Officer, the Deputy Assistant Chief of Staff for Information Management and the Chief, Patient Administration Division, MEDCOM will monitor training policy compliance and will publish monthly compliance reports.

6. Procedures:

a. MHS Learn assigns PA and HIPAA courses based on the enrollees' HIPAA job position. The relationship of HIPAA Job Positions and Clinical, Operational, and Senior Management training tracks are shown at enclosure. Volunteers and contractors must register in the MHS Learn within the job position for which they are volunteering or are contracted as the course material was created to reflect specific job functions.

b. The course content in MHS Learn includes core and refresher training. The core training consists of 5 subcourses and 5 examinations. Students must complete all subcourses and score 75 on the examinations to receive credit for PA and HIPAA training. The refresher training is identical to the core training. Students may take a

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pre-test before the refresher training. If the student scores 75 or better, the student is given credit for the refresher training.

c. Upon completion of training, courses are recorded in the students' transcript and a certificate of completion is created. It is recommended that students print certificates of completion and file these in their personal records. These electronic and paper records are proof of training completion. Once a student completes the PA and HIPAA core courses and has a record of the completed courses (either paper or an electronic copy in the MHS Learn), they do not need to re-take the core training courses when/if they transfer to another facility within the military health system.

d. The completion goal for core training is 100%. Recognizing that new personnel have 30 days to complete their core training and are reported in MHS Learn as incomplete, Commanders and Directors will monitor PA and HIPAA training compliance to ensure that a minimum of 99% of their staff are trained at all times.

e. The training completion goal for annual refresher training is 100%. The refresher training compliance report should be run on the last work day of the month since the training is assigned to personnel on the first day of their birth month. Personnel have 30 days to complete the training before they are delinquent.

f. Personnel will also be trained on local policies for uses and disclosures of personally identifiable information to include protected health information.

g. Training updates must be provided to all personnel whose functions are affected by a material change in policies or procedures. This training must occur within a reasonable period of time after the material change becomes effective.

FOR THE COMMANDER:


HERBERT A. COLEY
Chief of Staff