

Update from the U.S. Department of Health and Human Services Regarding the Change Healthcare Cybersecurity Incident

“The U.S. Dept. of Health and Human Services (HHS) Office for Civil Rights (OCR) posted a new webpage: <https://www.hhs.gov/hipaa/for-professionals/special-topics/change-healthcare-cybersecurity-incident-frequently-asked-questions/index.html> to share answers to frequently asked questions (FAQs) concerning the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Rules<<https://www.hhs.gov/hipaa/index.html>> and the cybersecurity incident impacting Change Healthcare, a unit of UnitedHealth Group (UHG), and many other health care entities. The cyberattack is disrupting health care and billing information operations nationwide and poses a direct threat to critically needed patient care and essential operations of the health care industry.”

- OCR enforces the HIPAA Privacy, Security, and Breach Notification Rules which sets forth requirements that HIPAA covered entities and their business associates must follow to protect the privacy and security of protected health information and the required notifications to HHS and affected individuals following a breach. <https://www.hhs.gov/hipaa/for-professionals/index.html>
- The webpage answers questions and provides helpful information on many topics, including:
 - Why OCR issued the March 13, 2024 Letter: <https://www.hhs.gov/about/news/2024/03/13/hhs-office-civil-rights-issues-letter-opens-investigation-change-healthcare-cyberattack.html>
 - Why OCR is initiating an investigation and what it covers, including; Information on whether OCR received breach reports; whether covered entities that are affected by the Change Healthcare cyberattack and UHG are required to file breach notifications; and what HIPAA breach notification duties covered entities and business associates have?
- Additional Links:
 - HHS Breach Portal: Notice to the Secretary of HHS Breach of Unsecured Protected Health Information: https://ocrportal.hhs.gov/ocr/breach/breach_report.jsf
 - OCR Privacy Rules: <https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/index.html>> ,
 - Security Rule; <https://www.hhs.gov/hipaa/for-professionals/security/guidance/index.html?language=es>

- Breach Notification Rules: <https://www.hhs.gov/hipaa/for-professionals/breach-notification/guidance/index.htm>
- File a complaint if you believe your or another person's health information privacy or civil rights have been violated: <https://www.hhs.gov/ocr/complaints/index.html>

APTA Resources:

[CMS Offers Accelerated and Advanced Payments in Response to Change Cyberattack Massive Cyberattack: UnitedHealth Group Offers Workarounds, HHS Weighs In](#)

UHC Resources:

<https://www.unitedhealthgroup.com/ns/changehealthcare.html>

Temporary Funding Assistance Program: Helping providers bridge the gap in short-term cash flow needs via Optum Pay. Watch this [how-to video](#) on the temporary funding process.

Optum iEDI secure data transfer Helping providers submit claims or upload and securely transfer larger files.

Congressional Hearing:

<https://www.modernhealthcare.com/politics-policy/change-update-congress-cybersecurity-legislation>

For additional guidance, members can email advocacy@apta.org.