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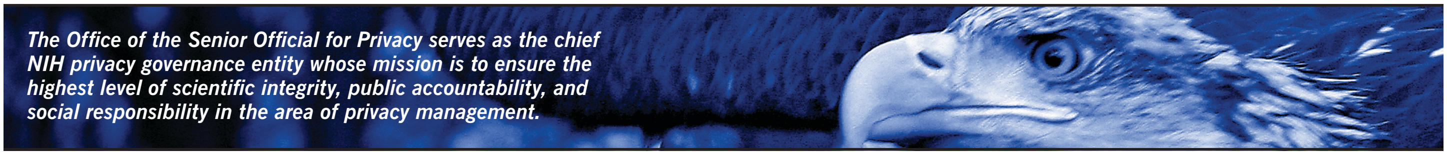
The NIH Eye on Privacy

Office of the Senior Official for Privacy Volume 1, Issue 6 October 2008



The Office of the Senior Official for Privacy serves as the chief NIH privacy governance entity whose mission is to ensure the highest level of scientific integrity, public accountability, and social responsibility in the area of privacy management.

Calendar of Events

Privacy Management Committee (PMC)

October 15, 1:00–2:00 p.m.
6011 Executive Boulevard
Suite 601, Room 647B

2008 Federal IT & Privacy Summit

October 22–23, 8:30–5:00 p.m.
Department of Commerce

Sponsored by the CIO Council, this IT and Privacy training will bring together hundreds of Federal IT and Privacy professionals who strive every day to strategically, efficiently and effectively use IT to serve and protect the public, including serving as stewards of one of the Federal Government's greatest assets, the public's personal information. Come to one or come to both! Free and open to contractors if sponsored by a Federal employee.

Privacy Coordinator Group (PCG) Meeting

November 19, 9:30–11:30 am
6130 Executive Boulevard (EPN)
Conference Room G

ASAP: Opening the Door on Privacy Issues

December 1, Washington, D.C.
Walter E. Washington Convention Center

ASAP: Spotlight on National Security Issues

December 1, Washington, D.C.
Walter E. Washington Convention Center

ASAP: Annual Symposium and Training Conference

December 2–3, Washington, D.C.
Walter E. Washington Convention Center

ASAP: 2nd Annual National Training Conference

March 8–11, 2009, Las Vegas, Nevada
Harrah's Hotel

For more American Society of Access Professionals (ASAP) registration information: http://www.accesspro.org/

Letter from the OSOP

Let's Keep SSNs Private

The air is cool and crisp and the leaves are beginning to turn and fall from their branches. It certainly isn't May, but it's time for us do a little spring cleaning. Yes, in October!

The Department of Health and Human Services (DHHS) Assistant Secretary for Resources & Technology (ASRT) issued a data call to eliminate the unnecessary collection and use of Social Security Numbers. Finally, we're taking a fresh look at whether we truly need to collect SSNs as part of our agency mission. Do we have the legal authority to collect them in the first place? Is it essential they appear on the forms we ask people to complete, and in the IT systems we use to collect, store and disclose information? This requirement is documented in OMB Memoranda M-07-16 issued last year and entitled, Safeguarding Against and Responding to the Breach of Personally Identifiable Information.

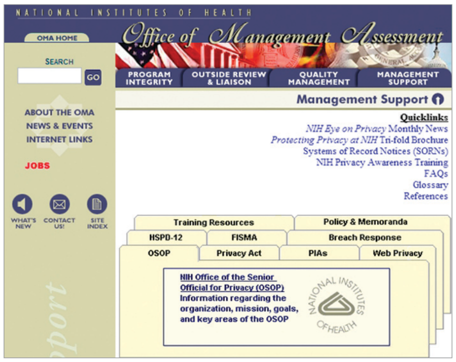
The HHS SSN Reduction Team is coordinating this data call at the Department level. The information we obtain will serve as a basis for setting priorities and establishing, in a November report to OMB, a plan as to which SSN reduction efforts the Department will undertake.

For our purposes, the Security & Privacy Online Reporting Tool (SPORT) will be used to assist in pulling IT systems which collect SSNs. The NIH Forms Officer has identified forms used at NIH which request an SSN. The Human Capital Group has produced an inventory of personnel forms which collect SSNs in order to appoint individuals, pay and recognize them. The IC Paperwork Reduction Act (PRA) liaisons are working to identify OMB approved information collections designed to survey members of the public and evaluate the programs we conduct. And of course, the IC Privacy Coordinators have all the necessary guidance to help us coordinate the data call. Stay tuned for more information!

Karen Plá, NIH Senior Official for Privacy

Our website has a new look!

In keeping up with fast-moving times, we've just restructured the NIH Office of Management Assessment Privacy website to ensure it is user-friendly and helpful to you—our readers. The site's new "tab" organization will help you find what you need more quickly. We have also added quick links to useful privacy resources including the NIH Eye on Privacy newsletter, NIH Privacy brochure, Privacy Act SOR Notices, NIH Privacy Awareness Training as well as links to FAQs and a glossary of terms.



Information regarding the organization, mission, goals, and key areas of the OSOP

Click here to view our new website: http://oma.od.nih.gov/ms/privacy/

For more information about the OSOP, the Privacy Act, PIAs and privacy at NIH, please visit: http://oma.od.nih.gov/ms/privacy
To learn more about IT security at NIH, please visit: http://ocio.nih.gov

Meet Your Privacy Coordinator:
Melissa Keller-Fraczkowski

Meet Melissa Keller-Fraczkowski (To the rest of us, that's Frah-cow-ski). Melissa is the NIA Privacy Coordinator. She has worked at NIH for 19 years! Prior to joining NIA, she worked in the Clinical Center, NCI, NIAID, and OD. The absolute best way to reach Melissa is via email at: kellermel@mail.nih.gov. The NIH Alternate Privacy Coordinator is Taryn Ayoub. She can be reached at ayoubt@mail.nih.gov.

Melissa's thoughts on privacy: "Everyone has a role in privacy! Emails and communications need to reach everyone—and help communicate why privacy matters. It is important that the message is clear."

NIH Privacy Awareness Training

Thanks to all of you who have taken the training. NIH achieved 100% compliance on our requirement to complete training by September 30. For those of you who are new to NIH, you should take the training within 60 days of your employment. The training will be extremely valuable to you and is packed full of information on the Privacy Act, various Federal statutes, privacy roles and responsibilities and Privacy Impact Assessments.

To see if you've taken the course, please follow these easy steps:

- ❑ Visit URL: http://irtsectraining.nih.gov/
- ❑ Log in with your NIH ID badge number (the one associated with both your NED record and AD account)
- ❑ Verify your identity
- ❑ Click "View My Student Record"
- ❑ Scroll down to select "Privacy Awareness Course"
- ❑ Click "View Course Information"
- ❑ Red checkmarks (✓) indicate the modules you have completed (only modules 2–5 are tracked and required to receive credit for the course)
- ❑ If requested by your supervisor, print a copy of your student record to show what date you took the course and log out.

Legal Corner

Lawmakers Beef Up Privacy Protections in Health IT Bill
by Andrew Noyes, *Congress Daily,* July 22, 2008

Sponsors of a House bill aimed at creating a nationwide system of electronic medical records have substantially changed the information-sharing and privacy provisions of their proposal after hearing concerns from stakeholders in the healthcare, high-tech and consumer advocacy arenas in recent weeks.

The legislation, sponsored by House Energy and Commerce Chairman John Dingell and ranking member Joe Barton… was introduced in June and passed the Health Subcommittee by voice vote.

The original version required healthcare providers to notify an individual upon unauthorized acquisition, access or disclosure of health information and included a safe harbor for encrypted data. The amended version of the bill… states that a "good faith" data disclosure, like a letter sent to the wrong address, would not constitute a breach. It would keep a requirement that providers comply with existing federal rules to restrict the amount of health information disclosed to outside parties to a limited data set, and states that consent may be a one-time, aggregated authorization.

If permission to share information is not granted, a health plan would be barred from using data for purposes other than for which it was disclosed. But the modified consent provision would not take effect until two years after the bill becomes law, and it requires HHS to create "reasonable and workable" implementation rules.

Read the full story:
http://www.nextgov.com/nextgov/ng_20080722_4446.php?zone=ngtoday

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GAO Report Updates

Information Security: Federal Agency Efforts to Encrypt Sensitive Information Are Under Way, but Work Remains	http://www.gao.gov/cgi-bin/getrpt?GAO-08-525
Health Information Technology: HHS Has Taken Important Steps to Address Privacy Principles and Challenges, Although More Work Remains	http://www.gao.gov/cgi-bin/getrpt?GAO-08-1138
Information Technology: Federal Laws, Regulations, and Mandatory Standards to Securing Private Sector Information Technology Systems and Data in Critical Infrastructure Sectors	http://www.gao.gov/cgi-bin/getrpt?GAO-08-1075r

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U.S. Department of Health and Human Services
National Institutes of Health

For more information about the OSOP, the Privacy Act, PIAs and privacy at NIH, please visit: http://oma.od.nih.gov/ms/privacy
To learn more about IT security at NIH, please visit: http://ocio.nih.gov