

Editor: Christopher Reilly



Above: James Burgess, Jr., JD, MPH, gives a presentation on HIPAA laws to the NNJARMA chapter on April 22nd.

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Our guest speaker on April 22nd, James Burgess, is a former lawyer and most recently a specialist in HIPAA laws. Mr. Burgess serves as the primary HIPAA Privacy and Security Subject Matter Expert for URAC, a not for profit managed care accreditation organization. In this role, Mr. Burgess regularly audits, evaluates, and offers remedial services to a multitude of national and international health service organizations seeking URAC's HIPAA Privacy and Security Accreditation

If HIPAA sounds familiar to you, it has been one of the most talked about issues relating to healthcare. HIPAA, which stands for the Health Insurance portability and Accountability Act of 1996 was created due to the lack of records privacy. It creates standards for protecting the privacy, security and exchange of health information. This privacy rule mandates training for covered entities' workforce on standards and policies. From the records professional's standpoint, this could be compared to the non-disclosure statement that many contractors must sign

in order to work in the pharmaceutical industry. Who does this law require coverage? Health plans, clearing houses and health care providers who transmit any health information electronically.

Terms which Mr. Burgess covered for this law were IIHI, or Individually Identifiable Health Information, which covers the past, present, or future physical or mental health or condition of an individual. PHI, or Protected Health Information, which means anything that identifies and individual and relates to a person's name, date of birth, photographic images and social security number. All these things are covered when you sign a non-disclosure statement at your doctors office. What drove HIPAA privacy rules into action? Country singer Tammy Wynette's medical records were sold to the National Enquirer and Star tabloids by a hospital employee for \$2,610 and a patient at Brigham and Women's Hospital in Boston learned that employees had accessed her medical record more than 200 times! How are NNJ ARMA members impacted? We are most likely Busi-

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President's Corner

By Nancy Ur

How did we get to June so quickly? It's time for summer vacations, graduations, weddings – all of those activities that give us a little respite from the trials and tribulations of the rest of the year.

We're winding down another great year here at NNJ ARMA, too. Although our next meeting on Wednesday June 18 will be our last one for the term, the Board will be meeting a few times over the course of the summer to prepare for the new term which starts in September.

There will be some changes on the Board of Directors, with some people leaving and some people changing roles. We will have a few new faces on the Board as well! There are some new initiatives we'll be finalizing over the summer to make Northern NJ ARMA an even more valuable resource for our membership. Stay tuned!

I'd like to thank our current Board for their hard work, dedication and support – their joint efforts and talent have helped improve the Chapter on a number of levels: **Kathleen Timothy** (VP Finance), **Tim Powers** (VP Programs), **Iana Lutman** (Secretary), **Tom Grech** (VP Membership), **Mike Zampella** (VP Technology), **Anne Kottaras** (Director/Scholarship), **Barbara Klak** (Director/Advertising & Marketing), **Lori Green** (Director), **Chris Reilly** (Newsletter Editor) and **Steve Dalina** (Immediate Past President).

And we have had some amazing volunteers this term who have helped the Board with various initiatives: **Murez Sandy** (Website Committee), **Joan DePaolo** and **Frank Menci** (Scholarship Program) and **Cathy Perry** (Membership Anniversary Committee). Thank you for your help!

Speaking of the Anniversary Committee, I hope you have made your reservation for the **Wednesday June 18th Member Anniversary meeting at the Woodbridge Hilton**. We will be honoring members who have supported NNJ ARMA for 5, 10, 15 and 20 years with a framed certificate, ARMA International Service Anniversary pin and a photo commemorating the event. NNJ ARMA is a great Chapter because of it's members and we just wanted to honor those people who have supported the Chapter with their continual membership over the years. We hope to make this an annual event!

The new 2008-2009 Board of Directors will also be introduced at the meeting. Our special guest will be Steve Lastres, JD who is the ARMA North East Regional Coordinator. Steve oversees the 10 Chapters that make up the North East Region and is also Past President of the New York Chapter.

This will be a great opportunity for you to network with many other professionals, so bring plenty of business cards! Just go to our website, **www.armannj.org** to sign up using PayPal. It's that easy. Hope to see you there!

Have a great summer,

Nancy

- continued from page 1 -

-ness Associates. If medical clients are considered Covered Entities, NNJ ARMA members may be contractually bound to adhere to pertinent parts of either HIPAA Privacy and or Security.

Violations of the HIPAA Rules can result civil monetary penalties of \$100 per violation, up to \$25,000 per year.

Compliance PHI, or Private Health Information can be orally given, written or electronic. To be compliant, healthcare workers take steps are taken to not discuss in public, displayed in public stolen by employees or computer hackers. A privacy Official, or “gatekeeper”, is always appointed who is trained annually outside of the organization.

When does HIPAA impact records management? HIPAA applies only to health information which is PHI and ePHI (electronic), can only be received from patients or their representative, covered entities, or business associates. HIPAA does not govern health information received from other sources such as HR in a non-hybrid entity, employer, or workers compensation board.



Above: Tim Powers, NNJ ARMA Vice President of Programs introduces James Burgess at the Woodbridge Hilton April 22, 2008.

Here are some excerpts from the question and answer period after the presentation on HIPAA laws:

Q: (Sam Mowaswes) “*What are some of the differences between European HIPAA and U.S. HIPAA laws?*”

A.: (James Burgess) “**Socialized medicine and the European Union pose stricter laws, seeing as their government is paying for healthcare**”.

Q.: (Anne Kottaras) “*What is considered a good scope of audit?*”

A.: “**Audit every six months a sample of each department, not a full audit, as this would be too costly in manpower and time.**”

Q.: (Murez Sandy) “*If I travel to the E.U., will my records be transferred?*”

A.: “**Not really. You are on your own as far as HIPAA, USA is concerned. These are not globally intertwined records.**”

Q.: (Murez Sandy) “*Penalties? Does HIPPA place monitors so that policy is maintained?*”

A.: “**No, HIPAA will investigate, but the complaining organization must pay for a HIPAA investigation.**”



ARMA International Educational Foundation Needs Your Help!

The ARMA International Educational Foundation is soliciting prizes for its upcoming silent auction, to be held at the ARMA International Conference in Las Vegas, NV, on October 20-23, 2008. The silent auction has become a significant fundraising event for the Foundation. At previous events the Foundation has received strong support from Chapters and Regions of ARMA International, individual members of ARMA International and the Institute of Certified Records Managers and long-time Foundation supporters, and vendors to the industry.

The ARMA International Educational Foundation (AIEF) is a 501(c)(3) non-profit organization that engages in research and development projects that benefit the records and information management profession. The Foundation enhances the knowledge and competency of working professionals through its funding of research, publications, scholarships and educational programs. The work of the Educational Foundation is supported by tax deductible contributions made by individuals, companies, and organizations. Research projects completed by the Foundation are made available for free to any interested person via the Foundation's website.

The Foundation is especially seeking donated prizes that are highly portable, since most conference and exposition attendees will be traveling to the conference by air. Some items that have been very popular in previous events are wine, holiday items, children's items, sports memorabilia, food items, gift certificates, electronic equipment, artwork, and books. The Foundation will provide recognition to each individual or organizational donor who contributes a prize for the auction. In addition, individuals who will be attending the ARMA International conference or exposition are encouraged to review and bid on items available in the silent auction area, which will be located on the exposition floor. Donation forms can be found on the ARMA International Educational Foundation website, www.armaedfoundation.org. For more information about donations contact AIEF Treasurer Phil Albert at pkalbertsr@verizon.net.

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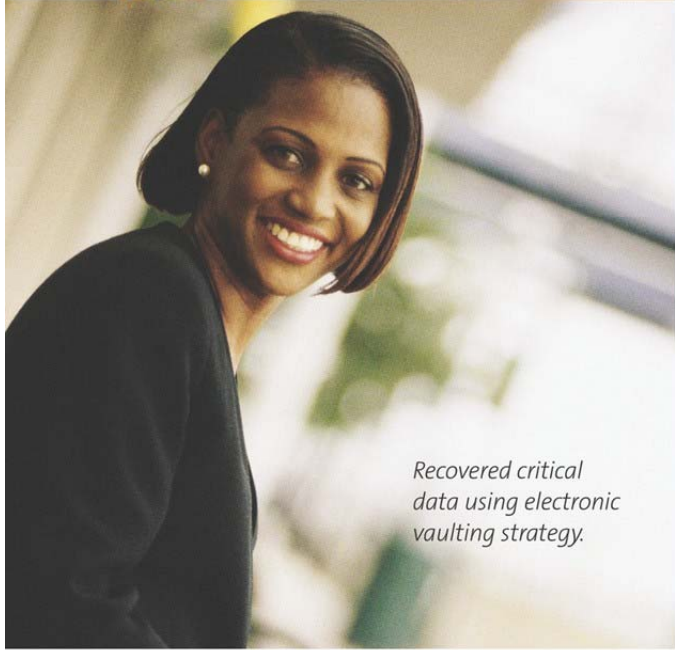




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And You Thought You Had E-Mail Management Problems...

White House Told to Provide E-Mail Info (*article courtesy of Associated Press*)

A federal magistrate [ordered](#) the White House to reveal whether copies of possibly millions of missing e-mails are stored on computer backup tapes.

The order by U.S. Magistrate Judge John Facciola came amid an effort by the White House to scuttle two lawsuits that could force the Executive Office of the President (EOP) to recover any e-mail that has disappeared from computer servers where electronic documents are automatically archived.

Facciola gave the White House five business days to report whether computer backup tapes contain e-mails written between 2003 and 2005.

The time period covers the Valerie Plame affair in which at least three presidential aides were found to have leaked Plame's CIA identity to the news media.

In a four-page order, Facciola said he needs to know "if the missing e-mails are not on those back-ups."

Facciola noted the importance of acting quickly since e-mails that might be retrievable from individual computer workstations in the White House "are increasingly likely to be deleted or overwritten with the passage of time."

White House spokesman Tony Fratto declined comment while reviewing the magistrate's order. In the past, the White House has said there could have been some e-mails that were not automatically archived because of a technical issue.

In their [lawsuits](#), the National Security Archive and Citizens for Responsibility and Ethics in Washington (CREW) suggest the e-mails were improperly deleted from White House computer servers. More than 5 million White House e-mails are missing, CREW alleged. Recently, the group said it has been told by reliable sources that the actual figure of missing e-mail is over 10 million.

In asking that the complaints be dismissed, the Bush administration says the president's recordkeeping practices under the Presidential Records Act are not reviewable by the courts. Also, the Federal Records Act does not allow the far-reaching action the two private groups are demanding, the administration contends.

Two months ago, CREW obtained a court order directing the White House to preserve the backup tapes.

The Bush administration had offered to have the government file a sworn declaration stating that the White House is safeguarding all backup materials. Instead, Facciola recommended that the judge in the case, Henry Kennedy, issue a court order because "a declaration is not punishable by contempt. In other words, without such an order, destruction of the backup media would be without consequence."

The subject of missing White House e-mail arose early in 2006 when the prosecutor in the Plame investigation, Special Counsel Patrick Fitzgerald, disclosed that not all electronic message traffic of the EOP and the office of Vice President Dick Cheney "for certain time periods in 2003" was preserved through the normal archiving process.

ARMA International Washington Policy Brief, January 2008



ICRM Notes

Institute of Certified Records Managers

"Knowledge, Experience, Integrity"



Article by Scott Bowker, CRM

As usual, the latest edition of *ProfessionNotes* (the newsletter of the Institute of Certified Records Managers) has some items of interest that I wanted to share. You can obtain the full version of the newsletter at www.icrm.org.

Obligations of the Certified Records Manager

Along with the various benefits of receiving the Certified Records Manager designation, there also come a set of obligations. Primary among those obligations is adherence to the Institute's Code of Ethics. CRMs promise through the Code to demonstrate integrity, to be law-abiding, to protect information assets, to act in an honest and open manner, to be factual in opinions, to be dedicated to continuous learning, and to be supportive of those who are interested in entering the profession. CRMs assume further obligations to increase their knowledge and skills so that they can serve their organizations better. These are important things to consider when we are faced with challenging situations at work.

Dues Increase

Since many organizations will be entering a budget planning cycle soon, this is important for those of you fortunate to have your dues covered by your company. In order for the ICRM to support the increasing number of members through web-based tools and to relieve the volunteer (i.e. nonpaid!) Regents from increasing clerical efforts, the Board has authorized the following:

- Effective January 1, 2009 the dues for active CRMs will be set at \$200.00 a year. This is a \$50.00 increase from current dues.

The following year, the dues will increase to \$250.00 a year.

Inactive CRMs

The Board voted at the Spring meeting to drop the inactive status for CRMs. This becomes effective as of January 1, 2010. This allows those few CRMs who opted to become inactive to take the necessary steps to become active.

If you are interested in sitting for the exam or have questions about the ICRM, please contact me. Email (scott.bowker@sanofi-aventis.com) is the best way since I'm often not at my desk!

Northern New Jersey ARMA

Note: All Meetings Held at the [Woodbridge Hilton](#) Unless Otherwise Specified

Next Meeting:

Save the Date! Register Early!

- **June 18, 2008/Wednesday**

Member Service Anniversary Dinner

3:00 p.m. to 4:30 p.m. NNJ ARMA Open Board Meeting

4:45 p.m. to 5:30 p.m. Registration & Networking

5:30 p.m. to 6:30 p.m. Buffet Dinner

6:30 p.m. to 7:30 p.m. Awards Presentation

Cost of Meals:

Pre-Paid-\$30.00, Pre-Registered at the door-\$35.00, Walk-Ins & Non-members-\$40.00

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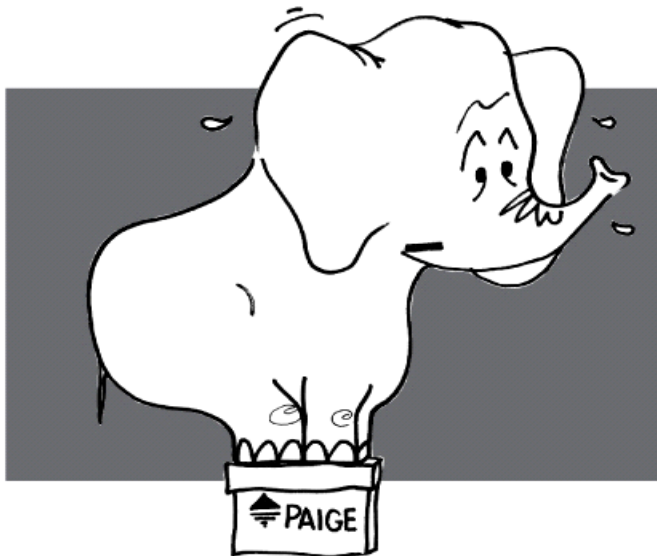
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	Eighth Page (Business Card)	\$150
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Newsletter advertisement includes your ad in nine (9) issues of the newsletter and a presence on the ARMA Northern New Jersey Website for one year.

(Note: Eighth Page ads do not include Web presence)

Meeting Sponsorship	\$250
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<i>Vendor "Spotlight"</i>	\$150
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Please contact me, Christopher Reilly for resume and phone number:

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