

Health Information Compliance Alert

Enforcement News: See OCR's Latest Notification of Enforcement Discretion

Tip: Understand what 'good faith' use of WBSAs means.

If you're scheduling your patients for COVID-19 vaccinations using a web-based scheduling application (WBSA), you and your vendor can heave a HIPAA sigh of relief.

On Jan. 19, the HHS Office for Civil Rights (OCR) announced another COVID-19 public health emergency (PHE)-inspired notification of enforcement discretion. This one concerns covered entities, (CEs) use of WBSAs to assist their patients with registering for the COVID-19 vaccine.



OCR "will exercise its enforcement discretion and will not impose penalties for violations of the HIPAA Rules on covered healthcare providers or their business associate [BAs] in connection with the good faith use of online or web-based

scheduling applications for the scheduling of individual appointments for COVID-19 vaccinations during" the PHE, said a release on the notification. The agency goes on to explain that the HIPAA enforcement discretion concerns specifically CEs and their BAs - including WBSA vendors - and "only for the limited purpose of scheduling individual appointments for COVID-19 vaccinations" through the duration of the PHE.

"OCR is using all available means to support the efficient and safe administration of COVID-19 vaccines to as many people as possible," said **March Bell**, Acting OCR Director.

Resource: Review the latest notification of enforcement discretion at www.hhs.gov/sites/default/files/hipaa-vaccine-ned.pdf. Find COVID-19-related HIPAA advice, previous notifications of enforcement discretion, and other OCR guidance at www.hhs.gov/hipaa/for-professionals/special-topics/hipaa-covid19/index.html.