

Health Information Compliance Alert

Health Information News

OFFICER ABSCONDS WITH PATIENT'S BLOOD

Despite a hospital staff member's protests, a police officer in Kenosha, WI made off with a blood sample drawn from a patient charged with two counts of first-degree homicide.

Jay Gonzalez allegedly totaled his car purposefully in an attempt to kill both his girlfriend and himself, but instead wound up killing the two occupants of the car into which he crashed. Gonzalez and his girlfriend suffered injuries in the crash, but neither died as a result of the incident, the **Associated Press** reports.

As Gonzalez was being treated at **St. Catherine's Hospital**, an officer apparently took his blood sample. In the criminal complaint filed against Gonzalez, it was noted that the police officer took the blood sample after a medical technician and her supervisor thrice refused to yield the sample to him, according to the AP.

The victims in the crash were Sheriff's Lt. **LeRoy Copen** and his wife **Lynn**; the former was the administrator for the Kenosha County Detention Center, served as logistics coordinator for the Sheriff's Department's Tactical Response Team and was the department's liaison for courthouse security, while the latter was a member of the Kenosha Co. district attorney's office.

While police Capt. **Tom Genthner** said state law allows law enforcement officers to forcibly take samples in certain cases, **Ric Schmidt**, president and CEO of St. Catherine's operator, **United Hospital System**, said he plans to send a letter to the police department to request a forum to discuss the incident.

"We have a duty to protect [patients'] confidentiality," said Schmidt, though he admitted that, in general, the hospital does not desire to resist officers acting in an official capacity, and called the incident "a blip on the radar screen" as opposed to normal practice, the AP reports.

BUT I WAS ONLY TRYING TO COMPLY!

Pharmacists in Texas tried making needed changes to their computer system in order to comply with HIPAA, but instead wound up shutting down their entire system.

The **Texas Pharmacy Association's** Medicaid Vendor Drug Program Oct. 12 implemented changes to its automated systems to make them HIPAA-compliant. Unfortunately, making those changes resulted in a statewide shutdown of TPA's computer system.

A TPA official, **Karen Horvath**, said the situation has caused "a nightmare for pharmacists," since they're prevented from submitting claims until the situation is resolved, the Victoria Advocate reports.

Additionally, without access to patient records, pharmacists have no idea whether patients are due for prescription refills. **Joe Cohen**, owner of **Harding & Parker Drug Store** in Victoria, TX said the computer snafu has been very frustrating, and **Elvia Flores**, a pharmacy technician employed by Cohen, said she had to turn away many customers as a result of the system downtime, according to the VA.

During the cyber crisis, the TPA advised pharmacies to call a help number and extended its help desk hours "for eligibility verification" and "to ensure recipients have access to pharmacy benefits."

Horvath says Medicaid has computer technicians working around the clock to resolve the situation, the VA reports.

To read the article in its entirety, go to www.thevictoriaadvocate.com/local/local/story/1423210p-1675597c.html.