

Health Information Compliance Alert

Regulations: WHAT THE REGS SAY ABOUT...FLEXIBILITY OF APPROACH

Here's what the final HIPAA security rule says about the amount of flexibility your facility is allowed:

45 CFR 164.306(b)

(2) In deciding which security measures to use, a covered entity must take into account the following factors:

- (i) The size, complexity and capabilities of the covered entity.
- (ii) The covered entity's technical infrastructure, hardware and software security capabilities.
- (iii) The costs of security measures.
- (iv) The probability and criticality of potential risks to electronic protected health information.