

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: CA250001778	(X1) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 02/19/2015
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NAME OF PROVIDER OR SUPPLIER PLANNED PARENTHOOD - MORENO VALLEY CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 12900 Frederick St Moreno Valley, CA 92553
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A000	<p>Initial Comments</p> <p>The following reflects the findings of the California Department of Public Health during the investigation of one entity reported incident.</p> <p>Entity reported incident number: CA00429105</p> <p>Representing the California Department of Public Health: 25937 / 2122</p> <p>The inspection was limited to the specific entity reported incident investigated and does not represent the findings of a full inspection of the facility.</p> <p>This Department was able to substantiate a violation of the regulations.</p>	A000		

Licensing and Certification Division

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

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A001	<p>Informed Medical Breach</p> <p>Health and Safety Code Section 1280.15 (b) (2), " A clinic, health facility, agency, or hospice shall also report any unlawful or unauthorized access to, or use or disclosure of, a patient's medical information to the affected patient or the patient's representative at the last known address, no later than five business days after the unlawful or unauthorized access, use, or disclosure has been detected by the clinic, health facility, agency, or hospice."</p> <p>The CDPH verified that the facility informed the affected patient(s) or the patient's representative(s) of the unlawful or unauthorized access, use or disclosure of the patient's medical information.</p>	A001		03/27/2015
A017	<p>1280.15(a) Health & Safety Code 1280</p> <p>(a) A clinic, health facility, home health agency, or hospice licensed pursuant to Section 1204, 1250, 1725, or 1745 shall prevent unlawful or unauthorized access to, and use or disclosure of, patients' medical information, as defined in subdivision (g) of Section 56.05 of the Civil Code and consistent with Section 130203. The department, after investigation, may assess an administrative penalty for a violation of this section of up to twenty-five thousand dollars (\$25,000) per patient whose medical information was unlawfully or without authorization accessed, used, or disclosed, and up to seventeen thousand five hundred dollars (\$17,500) per subsequent occurrence of unlawful or unauthorized access, use, or disclosure of that patients' medical information.</p>	A017		03/27/2015

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	<p>For purposes of the investigation, the department shall consider the clinic's, health facility's, agency's, or hospice's history of compliance with this section and other related state and federal statutes and regulations, the extent to which the facility detected violations and took preventative action to immediately correct and prevent past violations from recurring, and factors outside its control that restricted the facility's ability to comply with this section. The department shall have full discretion to consider all factors when determining the amount of an administrative penalty pursuant to this section.</p> <p>This Statute is not met as evidenced by: Based on interview and facility document review, the facility failed to prevent unauthorized access and/or disclosure of two patients (Patient 1 and Patient 2) medical information, when Patient A's laboratory results were sent to Patient B, and Patient B's lab results were sent to Patient A. This failure had the potential to result in misuse of private/protected information.</p> <p>Findings:</p> <p>1. On February 19, 2015, at 2 p.m., the Privacy officer (PO) was interviewed. The PO stated Patient A notified the facility on January 12, 2015, that she had received a letter in the mail that was intended for Patient B. The PO stated Patient A's name and address was on the outside envelope, but the letter inside was addressed to Patient B, and contained protected health information (PHI). The PO stated the letter contained Patient B's positive Chlamydia results (a sexually transmitted</p>			

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	<p>disease). The PO stated Patient A returned the letter to the facility.</p> <p>The letter sent to Patient A was reviewed. The letter contained Patient B's name, address, and positive test results for Chlamydia (a sexually transmitted disease).</p> <p>2. On February 19, 2015, at 2 p.m., the Privacy officer (PO) was interviewed. The PO stated Patient B notified the facility on January 13, 2015, that she had received a letter in the mail that was intended for Patient A. The PO stated Patient B's name and address was on the outside envelope, but the letter inside was addressed to Patient A, and contained protected health information (PHI). The PO stated the letter contained Patient A's positive Chlamydia results (a sexually transmitted disease). The PO stated Patient B returned the letter to the facility.</p> <p>The letter sent to Patient B was reviewed. The letter contained Patient A's name, address, and positive test results for Chlamydia (a sexually transmitted disease).</p> <p>The PO stated, the employee stuffing the envelopes, and then addressing them, should have verified the correct address label was going on the correct envelope. In addition, The PO stated the employee should have only handled one envelope/letter at a time.</p> <p>The information contained in the facility employee handbook, under Health Insurance Portability and Accountability Act (HIPAA) Privacy Statement. The information indicated the following:</p> <ol style="list-style-type: none"> 1. Make sure all medical records are secure from unauthorized use. 2. Never allow an unauthorized person access to any medical records or PHI. 			

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	3. As a general matter, An individual's PHI may not be used or disclosed without proper permission.			