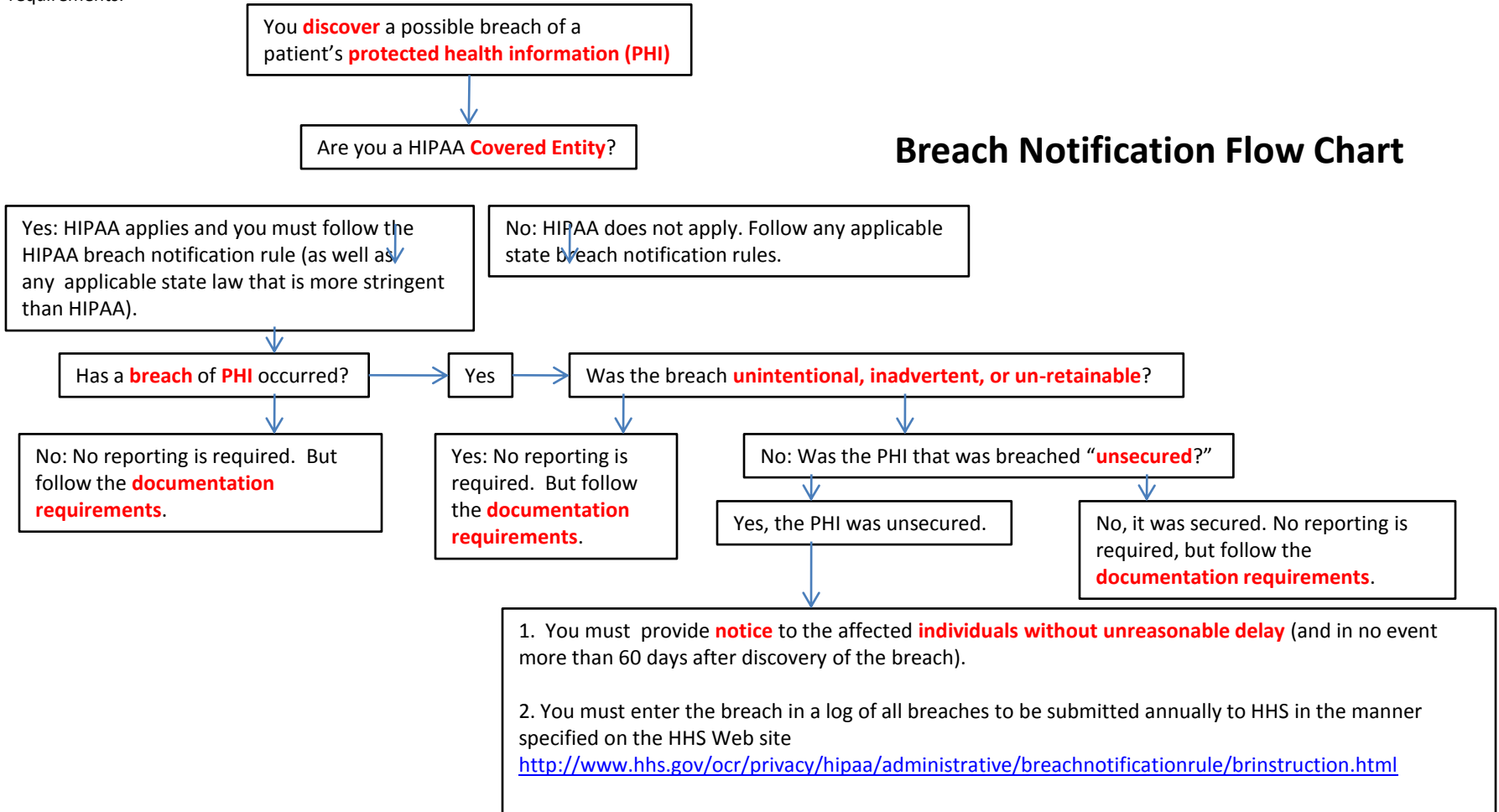


The American Dental Association has developed the following “Breach Notification Flow Chart” to help dentists understand the new HIPAA Breach Notification Rule. On August 24, 2009, the U.S. Department of Health and Human Services (HHS) issued interim regulations entitled *Breach Notification for Unsecured Protected Health Information*. This new Rule amends the HIPAA privacy rule by requiring HIPAA Covered Entities to notify individuals, HHS, and in some cases media outlets of a breach of protected health information (PHI). **The breach notification regulations are scheduled to go into effect on September 23, 2009, although HHS has advised that it does not intend to impose sanctions for breaches that are discovered prior to February 22, 2010.** Dentists who are HIPAA Covered Entities should implement policies and procedures to comply with the Rule by September 23, 2009.

The Breach Notification Flow Chart is simplified and should only be used to gain a general understanding of the Breach Notification Rule. The “Breach Notification Glossary of Terms” defines the **Blue** highlighted terms used in the Flow Chart. The Flow Chart and Glossary of Terms should be read together in order to more fully understand the breach notification requirements.

## Breach Notification Flow Chart



This guidance is educational only, does not constitute legal advice, and covers only federal, not state, law. Dentists should contact their personal attorneys for legal advice pertaining to HIPAA compliance, the ARRA/HITECH Act, and the U.S. Department of Health and Human Services Regulations. (August 27, 2009)

