



COMMISSIONER  
Chris Traylor

June 8, 2011

To: All DADS Contracted Providers

Subject: Information Letter 11-68  
Reminder Regarding Protecting Confidential Information

This Information Letter is a reminder that all Department of Aging and Disability Services (DADS) contractors have an obligation to protect confidential Medicaid data. The Health Insurance Portability and Accountability Act (HIPAA) of 1996 requires covered entities to protect health information in their possession to comply with the HIPAA Privacy and Security Rules. Contractors are covered entities. Likewise, DADS contractors are required to protect confidential Medicaid data.

The Health Information Technology for Economic and Clinical Health (HITECH) Act, enacted as part of the American Recovery and Reinvestment Act of 2009, was signed into law on February 17, 2009, to promote the adoption and meaningful use of health information technology. Subtitle D of the HITECH Act addresses the privacy and security concerns associated with the electronic transmission of health information, in part, through several provisions that strengthen the civil and criminal enforcement of the HIPAA rules.

Failure to adhere to the privacy and confidentiality requirement of data, in accordance with a DADS contract, could result in sanctions, including termination of the contract (provider agreement). All DADS contractors are expected to ensure confidential information is not inappropriately used or disclosed. If any contractor determines there may have been inappropriate use or disclosure, they should report to the DADS Privacy Security Officer immediately by phone at (512) 438-4600 or (877) 379-7501, or by email at [HIPAA@dads.state.tx.us](mailto:HIPAA@dads.state.tx.us).

For questions related to this notification, please contact the DADS Privacy Security Officer. Thank you for your attention and continued compliance with the HIPAA requirements.

Sincerely,

*[signature on file]*

Tom Phillips  
Chief Operating Officer

*[signature on file]*

Veronda Durden  
Assistant Commissioner  
Regulatory Services

*[signature on file]*

Gary Jessee  
Assistant Commissioner  
Access and Intake