

Table 2. 2018 HIPAA Fines.

Date	Organization	Fine Total	Link to OCR Settlement
February 1, 2018	Fresenius Medical Care North America (FMCNA)	\$3,500,000	Five breaches add up to millions in settlement costs for entity that failed to heed HIPAA’s risk analysis and risk management rules
February 13, 2018	Filefax, Inc.	\$100,000	Consequences for HIPAA violations don’t stop when a business closes
June 18, 2018	The University of Texas MD Anderson Cancer Center	\$4,348,000	Judge rules in favor of OCR and requires a Texas cancer center to pay \$4.3 million in penalties for HIPAA violations
September 20, 2018	Boston Medical Center (BMC), Brigham and Women’s Hospital (BWH), and Massachusetts General Hospital (MGH)	\$999,000	Unauthorized Disclosure of Patients’ Protected Health Information During ABC Television Filming Results in Multiple HIPAA Settlements Totaling \$999,000
October 16, 2018	Anthem	\$16,000,000	Anthem Pays OCR \$16 million in Record HIPAA Settlement Following Largest U.S. Health Data Breach in History
November 26, 2018	Allergy Associates of Hartford, P.C.	\$125,000	Allergy practice pays \$125,000 to settle doctor’s disclosure of patient information to a reporter
December 4, 2018	Advanced Care Hospitalists PL (ACH)	\$500,000	Florida contractor physicians’ group shares protected health information with unknown vendor without a business associate agreement
December 11, 2018	Pagosa Springs Medical Center (PSMC)	\$111,400	Colorado hospital failed to terminate former employee’s access to electronic protected health information
December 12, 2018	Cottage Health	\$3,000,000	Cottage Health Settles Potential Violations of HIPAA Rules for \$3million
	2018 Total:	\$28,683,400	

Table 3. 2019 HIPAA Fines.

Date	Organization	Fine Total	Link to OCR Settlement
February 7, 2019	Cottage Health	\$3,000,000	Cottage Health Settles Potential Violations of HIPAA Rules for \$3 million
May 6, 2019	Touchstone Medical Imaging	\$3,000,000	Tennessee Diagnostic Medical Imaging Services Company Pays \$3,000,000 to Settle Breach Exposing Over 300,000 Patients’ Protected Health Information
May 23, 2019	Medical Informatics Engineering	\$100,000	Indiana Medical Records Service Pays \$100,000 to Settle HIPAA Breach-May 23, 2019
September 9, 2019	Bayfront Health St. Petersburg	\$85,000	OCR Settles First Case in HIPAA Right of Access Initiative
October 2, 2019	Elite Dental Associates	\$10,000	Dental Practice Pays \$10,000 to Settle Social Media Disclosures of Patients’ Protected Health Information
October 23, 2019	Jackson Health System	\$2,150,000	OCR Imposes a \$2.15 million Civil Money Penalty against Jackson Health System for HIPAA Violations
November 5, 2019	University of Rochester Medical Center	\$3,000,000	Failure to Encrypt Mobile Devices Leads to \$3 million HIPAA Settlement
November 7, 2019	Texas Health and Human Services Commission	\$1,600,000	OCR Imposes a \$1.6 million Civil Money Penalty against Texas Health and Human Services Commission for HIPAA Violations
November 27, 2019	Sentara Hospitals	\$2,175,000	OCR Secures \$2.175 million HIPAA Settlement after Hospitals Failed to Properly Notify HHS of a Breach of Unsecured Protected Health Information
December 12, 2019	Korunda Medical	\$85,000	OCR Settles Second Case in HIPAA Right of Access Initiative
December 30, 2019	West Georgia Ambulance	\$65,000	Ambulance Company Pays \$65,000 to Settle Allegations of Longstanding HIPAA Noncompliance
	2019 Total:	\$15,270,000	

Table 4. 2020 HIPAA Fines.

Date	Organization	Fine Total	Link to OCR Settlement
March 3, 2020	The practice of Steven A. Porter, M.D	\$100,000	Health Care Provider Pays \$100,000 Settlement to OCR for Failing to Implement HIPAA Security Rule Requirements
July 23, 2020	Metropolitan Community Health Services	\$25,000	Small Health Care Provider Fails to Implement Multiple HIPAA Security Rule Requirements
July 27, 2020	Lifespan Health System	\$1,040,000	Lifespan Pays \$1,040,000 to OCR to Settle Unencrypted Stolen Laptop Breach
September 15, 2020	Housing Works, Inc.	\$38,000	OCR Settles Five More Investigations in HIPAA Right of Access Initiative
September 15, 2020	All Inclusive Medical Services, Inc	\$15,000	OCR Settles Five More Investigations in HIPAA Right of Access Initiative
September 15, 2020	Beth Israel Lahey Behavioral Services	\$70,000	OCR Settles Five More Investigations in HIPAA Right of Access Initiative
September 15, 2020	King MD	\$3,500	OCR Settles Five More Investigations in HIPAA Right of Access Initiative
September 15, 2020	Wise Psychiatry, PC	\$10,000	OCR Settles Five More Investigations in HIPAA Right of Access Initiative
September 21, 2020	Athens Orthopedic Clinic PA	\$1,500,000	Orthopedic Clinic Pays \$1.5 million to Settle Systemic Noncompliance with HIPAA Rules
September 23, 2020	CHSPSC LLC	\$2,300,000	HIPAA Business Associate Pays \$2.3 million to Settle Breach Affecting Protected Health Information of Over 6 million Individuals
September 25, 2020	Premera Blue Cross	\$6,850,000	Health Insurer Pays \$6.85 million to Settle Data Breach Affecting Over 10.4 million People
October 7, 2020	Dignity Health, DBA St. Joseph’s Hospital and Medical Center	\$160,000	OCR Settles Eighth Investigation in HIPAA Right of Access Initiative
October 9, 2020	NY Spine Medicine (NY Spine)	\$100,000	OCR Settles Ninth Investigation in HIPAA Right of Access Initiative
October 28, 2020	Aetna	\$1,000,000	Aetna Pays \$1,000,000 to Settle Three HIPAA Breaches
October 28, 2020	Riverside Psychiatric Medical Group	\$25,000	OCR Settles Tenth Investigation in HIPAA Right of Access Initiative
October 30, 2020	City of New Haven, Connecticut	\$202,400	City Health Department failed to terminate former employee’s access to protected health information
November 12, 2020	Dr. Rajendra Bhayani	\$15,000	OCR Settles Eleventh Investigation in HIPAA Right of Access Initiative
November 19, 2020	University of Cincinnati Medical Center, LLC	\$65,000	OCR Settles Twelfth Investigation in HIPAA Right of Access Initiative
December 22, 2020	Elite Primary Care	\$36,000	OCR Settles Thirteenth Investigation in HIPAA Right of Access Initiative
	2020 Total:	\$13,554,900	

order to receive reimbursement for services rendered. The executive team is still working with old outdated software and hardware which leaves the organizations vulnerable to data breaches. Health care organizations (covered entities) lack a structure of ethical and moral platforms in order to better train their employees. Different types of employees are willing to sell patient data for a monetary benefit and a greater number of employees are willing to breach HIPAA law and sell patient data in a personal context [6].

Patients are under-protected and the most vulnerable population to have their ePHI breached, due to the lack of executive oversight of health care covered entities. HIPAA is a great start in protecting patient's health information from being manipulated and sold to other benefiting covered entities. OCR is a great addition to police and fine those who have violated HIPAA laws. HHS does a great job of reporting fines, organizations who have violated HIPAA, and their correction plan in order to be in good standing with HIPAA law. The matter of fact is that there are still violations and they are only increasing. There has been a void in the past to police HIPAA violators and now, the data looks like there is much to be done. OCR might be overwhelmed and underrepresented in comparison to the covered entities.

The year 2017 had a violations total cost of \$20,393,200.00. This year included organizations such as: Memorial Hermann Health System (MHHS), Rite Aid, 21st Century Oncology, Memorial Healthcare Systems and others. The year 2018 had a violations total cost of \$28,683,400.00. This included organizations such as Anthem, Cottage Health, The University of Texas MD Anderson Cancer Center, Fresenius Medical Care North America (FMCNA) and others. The year 2019 presented a total violation cost of \$15,270,000.00. This year targeted organizations such as: Sentara Hospital, Texas Health and Human Services Commission, University of Rochester Medical Center, Jackson Health System, Touchstone Medical Imaging and others. Thus far, we have had fewer health care organizations who are charged more than \$1 million in violations. In 2020, the total violations cost was \$13,554,900.00.

According to Yaraghi and Gopal [5], the Office for Civil Rights compiled, deducted and provided the following data for a 3-month period from January 25, 2013-September 23, 2013. There are many active professional physicians in the United States and according to the number of violations reported, one can account for "an average of 2.17 privacy breach incidents" that "take place per 1,000 professional active physicians in the United States (p.1). These numbers derived from further analyzing the number of individual breach incident by covered entities and the types of breaches of privacy. Included in this study, we analyze hacking/IT incidents, theft, loss, unauthorized access, other, and improper disposal. These incidents are calculated on average to affect -87,760 individuals, while a breach incident among

business associates affects 98,803 individuals. So far, these breaches combined have undermined the privacy of 175,047,905 patients in the United States. These numbers account for health care cover entities and do not account for those who are not cover entities, nor do we have a real number for those who are violating HIPAA law and are not reported or audited by OCR [5].

When considering incentives or bribes in order to breach HIPAA laws, the following data was compiled through a design of five questions regarding HIPAA violations. These questions are asked in the perspective of a healthcare employee scenario, doctor, insurance company, and personal context. The data presented outlines the fact that people are willing to breach HIPAA law if they can have a monetary gain and will not be caught. The percentage varied with the different groups tested but, ultimately there was a price in which people of all categories were willing to breach HIPAA law by releasing ePHI for one reason or another. It is alarming to know that 79% of the participants would accept money to save their mother and 65% would accept money to save their best friend. When comparing nurses, doctors, insurance companies, and a personal context, it is inevitable that the personal context will have heavier weight when balancing the life of a loved one compared to the potential negative outcomes or cost as outlined in the study. Nurses ranked at 47% for admitting they would except a certain amount of money to provide patient data. Thirty five percent of doctors were willing to sell patient data and 45% of insurance companies would also sell patient's data. Overall, all different types of categories for participants proved that people could be swayed by monetary compensation to violate HIPAA law [6] aspect of HIPAA is accreditation. Accreditation from different organizations is encouraged and at times demanded by other governing bodies in order to receive payment for services rendered. An intended outcome from accreditation services is the result of better outcomes. A recent study conducted consisted of 4,400 hospitals out of which 3,337 were accredited (2847 by The Joint Commission) and 1063 underwent state-based review. There were "4 242 684 patients aged 65 years and older admitted for 15 common medical and six common surgical conditions and survey respondents of the Hospital Consumer Assessment of Healthcare Provider and Systems (HCAHPS). The results proved that there was no significant statistical variance from those organizations accredited by The Joint commission (TJC) or those accredited by independent organizations. There was no conclusive data that proved that The Joint Commission provided better outcomes when compared to organizations accredited by independent organizations [14].

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