



Defense Health Agency ADMINISTRATIVE INSTRUCTION

DEC - 2 2014

NUMBER 74
[DATE SIGNED]

Privacy Office

SUBJECT: Workforce Training Pursuant to the Requirements of the Privacy Act and the Health Insurance Portability and Accountability Act

References: See Enclosure 1

1. PURPOSE. This Defense Health Agency Administrative Instruction (DHA-AI), based on the authority of References (a) and (b), and in accordance with the guidance of References (c) through (k), establishes responsibilities and procedures for training DHA workforce members in accordance with privacy and security requirements. This AI supersedes the previous policy dated May 28, 2008 (Reference (n)).

2. APPLICABILITY. This AI applies to all DHA personnel, to include: assigned or attached Service members, federal civilians, contractors, and other personnel assigned temporary or permanent duties at DHA to include regional and field activities (remote locations).

3. POLICY. It is DHA policy, in accordance with References (d) through (m), that:

a. The DHA Privacy and Civil Liberties Branch (also known as and hereafter referred to as the "DHA Privacy Office") will create or make available appropriate Privacy Act/Health Insurance Portability and Accountability Act (HIPAA) training for all workforce members.

b. DHA workforce members be trained to use and apply appropriate information protection procedures in accordance with technical, physical, and administrative safeguards established by DHA to prevent the intentional or unintentional use or disclosure of Personally Identifiable Information and Protected Health Information (PII/PHI).

c. DHA workforce members be made aware of their responsibility to use and apply such information protection procedure protocols according to the functions of each member's position within the workforce.

4. RESPONSIBILITIES.

a. Director, DHA. The Director, DHA shall:

- (1) Exercise oversight over DHA to ensure compliance with this AI.
- (2) Oversee coordination of the implementation of this AI between the DHA Privacy Office and the DHA Health Information Technology Directorate.
- (3) Delegate authority to the DHA Privacy Office to develop and update supporting guidance under this AI as necessary.

b. Chief, DHA Privacy Office. The Chief, DHA Privacy Office is the DHA Privacy Act Compliance Officer and DHA HIPAA Privacy and Security Officer and has the responsibility and authority for the development, implementation, maintenance, oversight, and reporting of privacy and security requirements for PII and PHI. The Chief, DHA Privacy Office, as the Privacy Act Compliance Officer and HIPAA Privacy and Security Officer shall:

- (1) Provide strategic and tactical program direction.
- (2) Develop and implement policies and procedures required by Federal legislation that pertain to the privacy and security of PII and PHI, as well as the corresponding DoD policies and guidance.
- (3) Coordinate across DHA directorates, with the other individuals assigned security responsibilities, to ensure that requirements are appropriately addressed and safeguards are consistent across all DHA Offices.

c. Chief, Training and Career Development Division. The Chief, Training and Career Development Division shall provide an enterprise-wide mechanism for tracking the required Privacy Act/HIPAA training.

5. PROCEDURES. See Enclosure 2

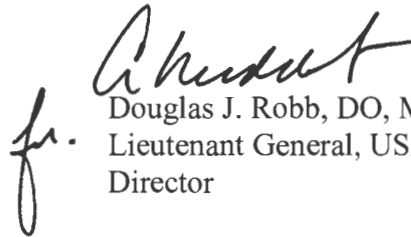
6. INFORMATION REQUIREMENTS. NA.

7. RELEASABILITY. **Not cleared for public release.** This AI is available to DHA employees and contractor support personnel with Common Access Card authorization on the DHA Intranet.

8. EFFECTIVE DATE. This AI:

- a. Is effective upon signature.

b. Will expire 10 years from the date of signature if it hasn't been reissued or cancelled before this date in accordance with DoD Instruction 5025.01 (Reference (c)).


Douglas J. Robb, DO, MPH
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Director

Enclosures

1. References
2. Procedures

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5136.01, "Assistant Secretary of Defense for Health Affairs (ASD(HA)),
September 30, 2013
- (b) DoD Directive 5136.13, "Defense Health Agency (DHA)," September 30, 2013
- (c) DoD Instruction 5025.01, "DoD Issuances Program," June 6, 2014, as amended
- (d) United States Code, Title 5, "The Privacy Act of 1974," December 31, 1974
- (e) Public Law 104-191, "Health Insurance Portability and Accountability Act of 1996,"
August 21, 1996
- (f) DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007 (or its
successor issuance)
- (g) Office of the Secretary of Defense (OSD) Memorandum 15041-07, "Safeguarding Against
and Responding to the Breach of Personally Identifiable Information," September 21, 2009
- (h) DoD 6025.18-R, "DoD Health Information Privacy Regulation," January 24, 2003 (or its
successor issuance)
- (i) DoD 8580.02-R, "DoD Health Information Security Regulation," July 12, 2007 (or its
successor issuance)
- (j) DoD Instruction 8500.2, "Information Assurance Implementation," February 6, 2003
- (k) DoD Directive 8570.01, "Information Assurance Training, Certification, and Workforce
Management," August 15, 2004
- (l) Parts 160 and 164 (Subparts C, D, and E) of title 45, Code of Federal Regulations (also
known as the "HIPAA Rules")
- (m) DoD Instruction 5025.01, "DoD Directives Program, Incorporating Change 1," August 20,
2013
- (n) TRICARE Management Activity Memorandum, "Workforce Training Policy Pursuant to
the Department of Defense Privacy Act Regulations and the Department of Defense Health
Insurance Portability and Accountability Act Privacy and Security Regulations," May 28,
2008

ENCLOSURE 2

PROCEDURES

1. TRAINING REQUIREMENTS. Within 30 days upon hire, DHA workforce members must complete the initial Privacy Act/HIPAA training and complete refresher training on an annual basis thereafter.
 - a. Successful completion of the required Privacy Act/HIPAA training within 30 days of hire is a prerequisite for gaining permitted access to DHA systems.
 - b. Workforce members who fail to complete this training as required may be removed from the DHA secure network until achieving compliance.
 - c. Note that DHA Information Assurance training is separate from the Privacy Act/HIPAA training.
2. DOCUMENTATION OF TRAINING. DHA's Training and Career Development Division will provide an enterprise-wide mechanism for tracking the required Privacy Act/HIPAA training. Training certifications will be maintained in accordance with the stated references.
3. CONTRACTOR REQUIREMENTS. When required by contract, DHA contractor employees, contracting officers, and/or representatives must be made aware of the Privacy Act/HIPAA training and complete any such training requirements consistent with said contract.

GLOSSARY

PART I: ACRONYMS

AI	Administrative Instruction
DHA	Defense Health Agency
HIPAA	Health Insurance Portability and Accountability Act
PHI	Protected Health Information
PII	Personally Identifiable Information

PART II. DEFINITIONS

DHA Offices. DHA Directorates, TRICARE Regional Offices, TRICARE Area Offices, and all other organizational entities in DHA.

DHA Workforce. Military and civilian full-time and part-time employees, volunteers, trainees, and other persons (including students and contract personnel as required by contract) whose conduct, in the performance work for DHA is under the direct control of DHA, whether or not they are paid by DHA.

Personally Identifiable Information (PII). Information which can be used to distinguish or trace an individual's identity; including name, social security number, date and place of birth, mother's maiden name, biometric records, and any other personal information which is linked or linkable to a specified individual.

Protected Health Information (PHI). Individually identifiable health information created, received, or maintained by a covered entity; including DHA, that is transmitted or maintained by electronic or any other form or medium, except as otherwise contained in employment records held by DHA in its role as an employer.