



EXECUTIVE FORUM

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FEATURED ARTICLE

Health Care Organizations Must Soon Comply with More Stringent Federal Privacy Laws

By M. Leeann Habte, Esq., Foley & Lardner LLP

The HITECH Act and the Red Flags Rules will soon enforce significant new privacy and security obligations on health care entities and other businesses. The Health Information Technology for Economic and Clinical Health (HITECH) Act expands the scope of the privacy and security provisions of the Health Insurance Portability & Accountability Act (HIPAA). The Red Flag Rule requires health care providers and other businesses regulated by the Fair and Accurate Credit Transactions Act (FACTA) to adopt policies and procedures to monitor and respond to the growing threat of identity theft. The enforcement deadlines for key provisions of these laws are described below.

Security Breach Notification

The HITECH Act requires that patients be notified of any unauthorized acquisition, access, use, or disclosure (which includes “data snooping”) of their unsecured protected health information that compromises the privacy or security of such information, with some exceptions. If the breach involves more than 500 people, a covered entity must also notify the Department of Health and Human Services and prominent media outlets. Interim final rules on security breach notification requirements are to be issued by August 15, 2009 and are scheduled to become effective on September 15, 2009. For violations of HIPAA, the HITECH Act increases the amount of penalties, using a tiered system that is based on level of knowledge and intent and the harm resulting from a violation. Penalties caused by “willful neglect” will begin at \$50,000 per violation and are capped at \$1.5 million per calendar year.

In California, many health care facilities are already subject to the data breach notification requirements under SB 541, the California breach notification law. SB 541 became effective on January 1, 2009, and the first penalty of \$250,000 for a violation was issued on May 14, 2009. Because HIPAA does not preempt more stringent state laws, hospitals and other licensed facilities that are subject to SB 541 must now incorporate the HIPAA data breach reporting, investigation, and notification requirements into their existing compliance strategies.

Extension of HIPAA to Business Associates

The HITECH Act also expands the scope of HIPAA. It man-

dates that business associates, who were previously subject only to contractual liability for their protection of health information, must comply directly with key provisions of the HIPAA Security Rule and the Privacy Rule. By February 17, 2010, business associates must create written HIPAA security policies and implement the administrative, physical, and technical safeguards of the Security Rule. They are also responsible for security breach notification under the HITECH Act. Covered entities must revise their agreements with business associates to reflect these new security requirements.

Implementation of Red Flag Rules

The Federal Trade Commission (FTC) recently delayed Red Flag Rule enforcement until August 1, 2009 to give entities regulated by FACTA more time to develop and implement written identity *(article continued on page 2)*

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WHA WORKSHOP

Secrets of Leadership Success: Communicating with Authenticity & Presence

featuring

Tina Jackson, MA, MCC

President
Clarity Consulting

SATURDAY, JUNE 6, 2009

KAISER PERMANENTE – IRVINE FACILITY
IRVINE CA

11:30 – 12:30PM NETWORKING/BRUNCH
12:30 – 1:30PM PROGRAM & Q&A

Contact Michelle at mtui@ca.rr.com

FEBRUARY 2009 EVENT

Transitioning to a Patient-Centered Culture

By Sarah Phelan

Hospitals have long earned the reputation of being a place of stark, white walls smelling faintly of rubbing alcohol and antibacterial soap with lines of metal beds separated by thin sheets of yellowing fabric. But this outdated image is quite a contrast to the one described by VA Desert Pacific Health Network employees at Women in Health Administration's discussion panel "Transitioning to a Patient-Centered Culture."

On February 12, Ronald Norby, MSN (Network Director), Deborah Lasker, MS, RD (Acting Network Planetree Coordinator) and John Tryboski, MSN (Network Quality Management Officer) shared their vision of the future of health care, and it was a bright one. The panel painted a picture of a hospital filled with soft music, bright paintings, friendly staff and even the smell of cookies wafting down the hallways. With the help of Planetree, the VA Desert Pacific Healthcare Network is transitioning to become a warmer, friendlier place while continuing to uphold its high level of care. It is working hard to create an environment that is not only patient centered but also a great place to work.

Planetree is a non-profit organization that helps health care systems implement an innovative model that focuses on not only healing the body but also nurturing the mind and spirit. By creating an environment similar to patients' homes — going as far as to allow them to bring pets to keep them company during their stay — Planetree works to move away from the bland rooms and disinfectant smell most people associate with a stay in the hospital. Planetree's model encourages human interaction and patient support systems by eliminating visiting hours.

And instead of bland, lumpy mystery meat, Planetree hospitals serve personalized meals that fit with the patient's dietary needs. Planetree hospitals use art, fountains, comfortable furniture, bright colors and open areas to help engage the senses and break down barriers. Music, artwork, theater and crafts are also used for the enjoyment of patients to enhance their hospital experience. Complimentary therapies such as acupuncture and Reiki are offered to patients as well as hospital staff members to help keep people relaxed and happy.

Planetree also works with the staff at each hospital to rethink its way of providing health care services. People are taught to use human touch to reduce anxiety, pain and stress. Nurses' stations are eliminated to encourage more interaction with patients. Planetree works to help redefine what health care means for both patients and staff members.

During the discussion, the panel members talked about the difficulties and slow process of switching over to the Planetree model. The benefits were determined to far out way the cost of the endeavor. The panel also discussed how the new model will help bring in more business as patients have been seen to request to be brought to Planetree hospitals in other places the model has been put in place.

In the end, attendees were sent home inspired to make changes in their own health centers and encouraged to think outside the box to help create a more patient-centered environment and move towards this new vision of what health care can be. ✦

FEATURE ARTICLE (CONT'D FROM FRONT PAGE)

... More Stringent Federal Privacy Laws Compliance

theft prevention programs. The Red Flag Rules require organizations to adopt policies and procedures to identify, detect, and respond to patterns, practices, or specific activities that could indicate identity theft (*i.e.* Red Flags) and to exercise effective and appropriate oversight of service providers. Accordingly, many covered entities governed by HIPAA must incorporate both the Red Flag Rule identity theft monitoring provisions and HIPAA security provisions into their internal procedures and into their agreements with Business Associates.

Conclusion

The HITECH Act, the Red Flag Rules, and California privacy laws create new obligations and legal complexities for health care entities. Successful compliance will require an understanding of the commonalities and distinctions between these laws and an integration of policies and procedures to respond appropriately to the evolving privacy and security requirements. ✦

APRIL EVENT

Meet the Board Brunch & Roundtable Discussion

By Dayna Nicholson

What do you hope to get from your WHA membership? What are we doing right? What can we improve? What can you do for WHA? These were just a few of the many questions considered by attendees at the April 4th Meet the Board and Strategic Planning Session held at the downtown Los Angeles offices of Foley & Lardner, LLP.

Approximately 20 WHA members met with seven Board members to discuss their vision for the organization's future. After brunch was served, the attendees separated into three focus groups, which correlated with the current status of their career: entry-level, mid-career and executive. The breakout groups engaged in a robust discussion, answering questions regarding their preferences on topics including WHA's activities, educational programs,

membership demographics and communication to members. Each group came up with great ideas ranging from better uses of technology, to mentoring, to subjects for future presentations. In fact, the focus groups were so engaged that they didn't want to stop at the end of the time allotted for their deliberations!

Following the break-out session, the groups reconvened and reported to the group. The comments were tabulated, and the Board will utilize this important feedback as we make plans for the future of the organization. If you were unable to attend the meeting, we'd still like to hear your thoughts. *Please send any ideas or comments you might have about WHA's future to Michelle at mtui@ca.rr.com.* ☒

2009 Scholarship Winner - Taguhi Sogomonyan

Every year, WHA awards a \$1,000 scholarship to a master's-level health care administration student in Southern California. The competition this year was intense; we received applications from 26 outstanding candidates. After much deliberation, the scholarship was awarded to Taguhi Sogomonyan, who is working toward an M.S. in Healthcare Management at Cal State L.A.

Ms. Sogomonyan earned a B.S. in Biochemistry from Cal State L.A. in 2007. She has been a Business Development/Marketing Intern at Glendale Memorial Hospital and Health Center since February, 2009, and has also been employed as the Front Desk Coordinator of a Cardiology/Internal Medicine practice since April, 2008.

Ms. Sogomonyan's background in healthcare is diverse and extensive. She has experience in the areas of hospital business development, outpatient facility management, healthcare services marketing, community education and awareness, and clinical research. In addition, she has honed her leadership skills through her service on the Board of Directors of the Cal State L.A. Alumni Association, as President for the Armenian Students' Association, and in her positions with the Student Alumni Association and the Tri-Beta Biological Honor Society.

Congratulations, Ms. Sogomonyan, on your achievements! ☒

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ARTICLE: PROFESSIONAL DEVELOPMENT

Cover Letter Secrets

By Marie Bouvier, WordSculpture

One of the most emailed articles at the *New York Times* last month had a surprising topic: “A Cover Letter Is Not Expendable.”

[http://www.nytimes.com/2009/02/15/jobs/15career.html?_r=2&em]

As more people search for jobs, the basics of resumes and cover letters are of greater interest to everyone; people want to know the hiring secrets that can land them a better paying, more secure job.

It's true that cover letters can make a critical difference in your job search and networking; you just need to know a few things to separate your cover letter from the others in the pack. Here are a few secrets about cover letters from the other side of the hiring process.

1. Cover letters are still required.

As the article in the *New York Times* notes, it's easy in this day and age to assume that a cover letter simply isn't necessary. With the speed of email and the ease of contacting potential employers, it may seem like a waste of time to write a cover letter. But a cover letter will help set you apart from the crowd. It is an opportunity to sell your skills for that specific job, and it gives you the chance to explain any unusual circumstances, such as your interest in a move or a career change. It also proves to the employer that you are really interested in that particular job with their company.

When I worked as a recruiter, I received many resumes without cover letters. Some of them appeared to have been mass-mailed to every job opening in the universe; there was no explanation of why a sales manager wanted to become a computer programmer, for example. A cover letter might make the difference between the resume being sent to a hiring manager—or being filed away with hundreds of others. Use the cover letter to your advantage; always include one with your resume, whether you're in an active job search or are just networking with professional contacts.

2. Cover letters aren't the first things recruiters read.

In a perfect world, recruiters and hiring managers would carefully read every word that you write, taking time to absorb all the wonderful nuances of your career. But in truth, most recruiters are getting dozens, if not hundreds,

of resumes and cover letters for each position. Sorting through stacks of resumes and cover letters becomes a time management issue.

The fastest way for most recruiters to manage the pile is to glance at the resumes first—very quickly. In a matter of seconds, an experienced recruiter can determine whether the candidate meets the basic qualifications for the job. By eliminating large numbers of resumes in a short period of time, the recruiter can bring the pile down to a more manageable number, usually a group of ten to twenty-five resumes. At that point, the cover letter really enters the equation. If there is no cover letter at all, that's already one count against you; the resume may be removed from the pile, with the recruiter assuming that you aren't really that interested in the job.

3. Cover letters are often the tipping point in a recruiter's decision.

Once there is a smaller stack of resumes, cover letters become much more important. If there are typos or other errors in the cover letter, your whole resume will probably be kicked out of consideration. If there is a cover letter that has not been customized for the particular job, particularly one that is recognizable as a form letter, the resume may also be knocked out.

The best cover letters focus on how your skills would serve the company in this particular position. Outline your accomplishments as they relate to the job requirements. If you create a cover letter that proves you understand the company's needs, you will have a much higher chance of landing the interview—and the job.

A cover letter is a definite must, whether you are searching for a new job or making contact with your professional network to let them know that you're looking. Including a short email cover letter or a more formal cover letter with your resume proves that you're professional—and that you're worth hiring. ☒

*Marie Bouvier is a professional business writer and editor with WordSculpture. She has extensive experience with resume writing and job searches. For more information, visit www.wordsculpture.com. **Mention WHA for a 25% discount off all services.***

NEW MEMBER SPOTLIGHT

Debbie Walsh, RN

By Veronica Orrick

Debbie Walsh, RN, has over 30 years of healthcare management and clinical experience. Most recently, from 2007 to 2009, she was CEO of USC University Hospital, a 411-bed academic medical center, and USC Norris Cancer Hospital, a 60-bed hospital that specializes in cancer treatment. Debbie had been the hospitals' interim chief executive officer since 2006, had been the chief operating officer since 2003, and also served as the chief nursing officer for two years.

Debbie worked in various departments during her tenure at USCUIH and USC Norris, including as associate administrator of interventional and diagnostic services, director of surgical services and director of the outpatient surgery center. What can't she do?

Debbie graduated from East Los Angeles Community College's Nursing School, worked on a medical-surgical unit then went on to surgical nursing. She earned a bachelor's degree in nursing from California State University, Los Angeles and a master's degree in nursing from Azusa Pacific University.

"My nursing career afforded me many great opportunities," Debbie states. When she started her career she knew she wanted to be an OR nurse. Her nursing background has been the key to her success with physicians and hospital clinicians. Why did she make the change from clinical to management? "Management needed a leader to make changes; I took on that challenge and have been a change agent since."

Debbie joined WHA because she wants to get involved



and give back to others who are pursuing careers in healthcare.

Debbie is a resident of Seal Beach and enjoys many outdoor activities, including golf and kayaking. Debbie makes a great addition to Women in Health Administration. Please join me in welcoming her. ☒

NEXT BUSINESS CARD BRUNCH

Please join us for a WHA Board of Directors-sponsored Business Card Brunch! This intimate event will be open to 6 WHA members, each with 1 non-member guest. We will discuss healthcare, our careers, and how WHA fits into our professional strategies, all while enjoying a fabulous brunch in a private room! As space is limited, please RSVP to Michelle at mtui@socal.rr.com soon to secure your and your guest's spot.

Sunday, June 14, 2009
11:30am – 1:30pm

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WHA 2009 BOARDPresidentDiane Ung diane.ung@foley.comSecretaryVicky Tai vickytai@gmail.comFinance ChairJudy Vaccaro judyvaccaro@socal.rr.comMembership ChairRuthie Goldberg Ruthie.A.Goldberg@kp.orgLing Kung ling.kung@kp.orgEvents ChairAda Cheng mizzada@gmail.comSuzanne Yu syu@facey.comCommunication ChairsDayna Nicholson dnicholson@fulbright.comNina Niu-Ok nina@theoks.comMembers-at-LargeTrudi Carter, MD tcarter@caloptima.orgDiana Hilberman hilberma@ucla.edu**MEMBERS ON THE MOVE & NEW MEMBERS****New Members****Violet Calderon** is a Student at CSULB and an Emergency Dept. Tech at Long Beach Memorial.**Frances Cox** is a student at Cal State Long Beach.**Marecel Galangue** is a Senior Planning Analyst at St. Joseph Health System and student at University of Redlands.**Debra Kaufman** is working as Director of Coding & Reimbursement at Southern California Orthopedic Institute.**Ponci Kaylor** is a MHI Claims Project Manager at Molina Healthcare, Inc.**Faith Kone** is a Project Manager at SCPMG and a student.**Leonor McCall-Rodriguez** is President at One Voice Insurance Services.**Mayra Merrick** is Sales and Marketing Director for Honored Citizens Choice Health Plan.**Melissa Munoz** is a student at CSULB.**Julie Sorg, RN** is Magnet Project Director at the Ronald Reagan UCLA Medical Center.**Elizabeth Tejada** is Chief Operating Officer for Honored Citizens Choice Health Plan.**Cendy Tiscareno** is a student at CSULB.**Jaimie Tucker** is a Student at Saddleback College and a Manager, Health Workforce Transformations at COPE Health Solutions.**Sylvia Vasquez** is at Honored Citizens Choice Health Plan.**Monica Waggoner** is a Program Manager at JWCH Institute, Inc.**Natalie Whitlock** is a student at CSULB and a Quality Coordinator at Spencer Recovery Center.**Michelle Wilkins-Sanchez** is Membership Department Manager at Cure Search Children's Oncology Group.**Amy Wittig** is now at Health Net.**Katie Wood** is a Performance Improvement Manager at Hoag Memorial Hospital Presbyterian.**Members on the Move****Saralea Altman** is now retired.**Ruthie Goldberg** is now Group Leader, Clinical Operations at Southern California Permanente Medical Group.**Ling Kung** is now Project Manager III at Kaiser Permanente.**Xochitl Perez** is now a Senior Consultant - Provider Delivery Systems, Health Plan Licensing, Health Plan Regulatory Services at Kaiser Permanente.**Kavita Ratan** is now Manager, Managed Care & Ops Improvement at Methodist Hospital

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Please let us know of any important news in your lives, ideas for events and activities, book reviews, articles, etc. Better yet, get involved and lend your talent and ideas by joining one of the WHA committees!

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Directions to Join

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