

## NOTICE OF RULE MAKING

Arkansas Department of Human Services

### DHS Policy 5007, Security Incident Reporting and Response Policy

Pursuant to U.S. Omnibus Reconciliation Act of 1981, Ark. Code Ann. Sec. 25-10-101 et seq., Act 218 of 1983, and Act 348 of 1985, the Chief Fiscal and Administrative Officer, Department of Human Services (DHS), is proposing DHS Policy 5007, Security and Incident Reporting and Response.

The Arkansas Department of Human Services (DHS) is proposing a policy that provides DHS with uniform departmental procedures for health care providers and other HIPAA covered entities to promptly notify affected individuals after a breach of unsecured protected health information. This policy is to be in compliance with the Health Information Technology or Economic and Clinical Health (HITECH) Act.

The rule will be effective January 8, 2010.

Copies of the rule may be obtained by writing to the Office of Finance and Administration, P.O. Box 1437, Slot WG3, Little Rock, AR 72203-1437, Attention: Policy and Administrative Program Management. All comments about the proposed rule must be submitted in writing within 30 days of the date appearing below or 30 days following the date of the newspaper notice, whichever is the longer period.

The Department of Human Services, Office of Finance and Administration, is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed, and delivers services without regard to age, religion, disability, political affiliation, veteran status, sex, race, color, or national origin.

Alternate formats, such as large print, audiotape, etc. will be provided upon request.

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Jerry Berry  
Chief Fiscal and Administrative Officer