HIPAA and Temps

Please circulate this Q &A to those in your HCC who are responsible for staffing. Under current law, if you use a temp service, it is YOUR responsibility to ensure the temp takes the online HIPAA training and is trained on your department’s internal HIPAA policies and procedures.

Q: If a Covered Entity contracts with a staffing agency to provide temporary staff (e.g., when an employee is absent due to illness), who is responsible for training the temp with regard to HIPAA?

A: The HIPAA definition of "workforce" includes employees, temps, volunteers, and contracted employees. If temporary staff is supplied by the service agency, the temporary staff becomes part of your workforce. This means the Health Care Component must provide HIPAA Privacy and Security training and take steps to reasonably require and ensure that temporary staff members adhere to the Privacy and Security policies and procedures.