

Report on Patient Privacy Volume 18, Number 12. December 31, 2018 Service Dogs? Yes. Press Calls? Not So Much

By HCCA Staff

Last month the HHS Office for Civil Rights (OCR) announced its seventh settlement agreement of the year for alleged HIPAA violations, but probably its first that began with a dog.

The dog in question is Ziva, a service animal owned by Danyelle Carter, a 28-year-old Hartford, Connecticut resident. Three years ago, she was turned away from an appointment with her allergist who later disparaged her during a call with a TV reporter.

OCR deemed the phone call to be a HIPAA violation, because Carter didn't agree that Dr. Michael Krall could share her medical issues or protected health information (PHI). For this transgression, Allergy Associates of Hartford PC paid \$125,000 and agreed to follow a corrective action plan (see story, p. 1). Carter also submitted a complaint to the Department of Justice (DOJ) alleging Krall violated the Americans with Disabilities Act (ADA) by barring the dog. This is ongoing.

As a result of this settlement, covered entities (CE) and business associates might be thinking more about how to handle press calls—and service animals, for that matter.

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