

Report on Medicare Compliance Volume 33, Number 23. June 24, 2024 Surgeon Charged With HIPAA Violations for Disclosures to Media; It's 'a Case to Watch'

By Nina Youngstrom

In a case alleging criminal HIPAA violations, Houston physician Eithan David Haim was charged with obtaining patient information from Texas Children's Hospital (TCH) about patients who weren't under his care and disclosing it "with the intent to cause malicious harm" to the hospital, the U.S. Attorney's Office for the Southern District of Texas said June 17.^[1]

Haim spoke with a "media contact" in the spring of 2023, and the media contact, who isn't identified, "published HIPAA protected information obtained by Haim via X (formerly known as Twitter) and other online media outlets," according to the indictment.^[2] "The HIPAA protected information had partially redacted out name[s] of the pediatric patients but kept the dates of service, diagnosis, procedure codes and physician names visible." Haim allegedly got the protected health information (PHI) from TCH's electronic health records under "false pretenses."

The indictment doesn't explain why Haim disclosed the patient information, but the Associated Press (AP) reported that the media person was a conservative activist "who published a story that the hospital was providing transgender care for minors in secret."^[3]

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