

DEPARTMENT OF DEVELOPMENTAL SERVICES

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DATE: December 29, 2017

TO: REGIONAL CENTER DIRECTORS, ADMINISTRATORS, CHIEF
COUNSELORS, AND SYSTEM OPERATORS

SUBJECT: **TECHNICAL BULLETIN #474**
Updated Data Breach Reporting Requirements

This technical bulletin notifies Regional Centers of the updated breach reporting requirements as indicated in the Regional Center Master Contract, Exhibit F – Statement of Assurances for the Protection of Protected Health Information.

In order to maintain compliance with Federal (45 CFR §164.410) and State (California Civil Code Section(s) 1798.29(e) and 1798.82(f)) Laws, beginning January 1, 2018, Regional Centers will be responsible for reporting “business associate” data breaches to DDS **and** to the U.S. Department of Health & Human Services (“HHS”), Office of Civil Rights (“OCR”). Additionally, if a breach affects over 500 individuals, the Regional Centers must report the breach to the State of California Department of Justice, Office of the Attorney General. The URL’s to these sites can be found on the DDS “Links and Resources” web page;
<http://www.dds.ca.gov/HIPAA/LinksResources.cfm>.

Attached is a flow diagram that outlines the required tasks for breach reporting. The updated tasks are identified with **bold outline** and **blue font**. If you have any questions, please contact Elizabeth Hibbert at (916) 654-2120, or e-mail privacy@dds.ca.gov

This technical bulletin is also posted on the <http://www.dds.ca.gov/AST/Home.cfm> website.

Sincerely,

Becky Pipoly, Interim Deputy Director
Information Technology Division

“Building Partnerships, Supporting Choices”

Regional Centers Data Breach Reporting Requirements

