

Government Regulations

HIPAA - <http://www.hhs.gov/ocr/privacy/index.html>

The Health Insurance Portability and Accountability Act 1996 which includes the “privacy rule” and “security rule” govern the privacy of an individual’s personal health information and the manner in which organizations such as healthcare providers and health insurance companies collect, maintain, use and dispose of that information.

HIPAA Disposal Guidelines - examples of proper disposal methods may include, but are not limited to:

Paper records - **Shredding**, burning, pulping, or pulverizing the records so that PHI is rendered essentially unreadable, indecipherable, and otherwise cannot be reconstructed.

Prescription bottles – Maintaining bottles and other PHI in opaque bags in a secure area and using a disposal vendor as a business associate to pick up and **shred** or otherwise destroy the PHI.

Electronic media - Clearing (using software or hardware products to overwrite media with non-sensitive data), purging (degaussing or exposing the media to a strong magnetic field in order to disrupt the recorded magnetic domains), or destroying the media (disintegration, pulverization, melting, incinerating, or **shredding**).

FACTA - <http://www.ftc.gov/opa/2005/06/disposal.shtm>

The Fair and Accurate Credit Transactions Act 2003 is designed to protect against consumer fraud and identity theft and to protect privacy. Any business that collects, possesses or maintains consumer information from a credit report must take reasonable measures to protect against unauthorized access to or use of the information.

FACTA Disposal Rule – Requires businesses or individuals to take appropriate measures to dispose of sensitive information derived from credit reports under FACTA. This rule requires disposal practices that are reasonable and appropriate to prevent the unauthorized access to consumer sensitive information. Reasonable measures pertain to records on paper or electronic media and include burning, pulverizing or **shredding**.

GLB - <http://business.ftc.gov/privacy-and-security/gramm-leach-bliley-act>

The Gramm-Leach Bliley Act requires companies that offer products such as insurance, loans or financial and investment services to provide consumers their privacy practices and how they share information and safeguard customer sensitive information. Under the safeguards rule, companies who provide these products and services must protect the consumer information they collect, which includes proper disposal.