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QUESTION 1

SCENARIO

Please use the following to answer the next question:

Declan has just started a job as a nursing assistant in a radiology department at Woodland Hospital. He has also started a program to become a registered nurse.

Before taking this career path, Declan was vaguely familiar with the Health Insurance Portability and Accountability Act (HIPAA). He now knows that he must help ensure the security of his patients' Protected Health Information (PHI).

Therefore, he is thinking carefully about privacy issues.

On the morning of his first day, Declan noticed that the newly hired receptionist handed each patient a HIPAA privacy notice. He wondered if it was necessary to give these privacy notices to returning patients, and if the radiology department

could reduce paper waste through a system of one-time distribution.

He was also curious about the hospital's use of a billing company. He questioned whether the hospital was doing all it could to protect the privacy of its patients if the billing company had details about patients' care.

On his first day Declan became familiar with all areas of the hospital's large radiology department. As he was organizing equipment left in the hallway, he overheard a conversation between two hospital administrators. He was surprised to

hear that a portable hard drive containing non-encrypted patient information was missing. The administrators expressed relief that the hospital would be able to avoid liability. Declan was surprised, and wondered whether the hospital had

plans to properly report what had happened.

Despite Declan's concern about this issue, he was amazed by the hospital's effort to integrate Electronic Health Records (EHRs) into the everyday care of patients. He thought about the potential for streamlining care even more if they were

accessible to all medical facilities nationwide.

Declan had many positive interactions with patients. At the end of his first day, he spoke to one patient, John, whose father had just been diagnosed with a degenerative muscular disease. John was about to get blood work done, and he

feared that the blood work could reveal a genetic predisposition to the disease that could affect his ability to obtain insurance coverage. Declan told John that he did not think that was possible, but the patient was wheeled away before he

could explain why. John plans to ask a colleague about this.

In one month, Declan has a paper due for one of his classes on a health topic of his choice. By then, he will have had many interactions with patients he can use as examples. He will be pleased to give credit to John by name for inspiring him to

think more carefully about genetic testing.

Although Declan's day ended with many questions, he was pleased about his new position.



Based on the scenario, what is the most likely way Declan's supervisor would answer his question about the hospital's use of a billing company?

- A. By suggesting that Declan look at the hospital's publicly posted privacy policy
- B. By assuring Declan that third parties are prevented from seeing Private Health Information (PHI)
- C. By pointing out that contracts are in place to help ensure the observance of minimum security standards
- D. By describing how the billing system is integrated into the hospital's electronic health records (EHR) system

Correct Answer: C

QUESTION 2

A company based in United States receives information about its UK subsidiary's employees in connection with the centralized HR service it provides. How can the UK company ensure an adequate level of data protection that would allow the restricted data transfer to continue?

- A. By signing up to an approved code of conduct under UK GDPR to demonstrate compliance with its requirements, both for the parent and the subsidiary companies.
- B. By revising the contract with the United States parent company incorporating EU SCCs, as it continues to be valid for restricted transfers under the UK regime.
- C. By submitting to the ICO a new application for the UK BCRs using the UK BCR application forms, as their existing authorized EU BCRs are not recognized.
- D. By allowing each employee the option to opt-out to the restricted transfer, as it is necessary to send their names in order to book the sales bonuses.

Correct Answer: B

Reference: <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/international-transfers-after-uk-exit/>

QUESTION 3

Which venture would be subject to the requirements of Section 5 of the Federal Trade Commission Act?

- A. A local nonprofit charity's fundraiser
- B. An online merchant's free shipping offer
- C. A national bank's no-fee checking promotion
- D. A city bus system's frequent rider program

Correct Answer: B

QUESTION 4



Which entity within the Department of Health and Human Services (HHS) is the primary enforcer of the Health Insurance Portability and Accountability Act (HIPAA) "Privacy Rule"?

- A. Office for Civil Rights.
- B. Office of Social Services.
- C. Office of Inspector General.
- D. Office of Public Health and Safety.

Correct Answer: A

Reference: <https://www.hhs.gov/hipaa/for-professionals/compliance-enforcement/examples/how-ocr-enforces-the-hipaa-privacy-and-security-rules/index.html>

QUESTION 5

Read this notice:

Our website uses cookies. Cookies allow us to identify the computer or device you're using to access the site, but they don't identify you personally. For instructions on setting your Web browser to refuse cookies, click here.

What type of legal choice does not notice provide?

- A. Mandatory
- B. Implied consent
- C. Opt-in
- D. Opt-out

Correct Answer: B

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