

HIPPA Rights Lost when Transferring Health Records Online

By Cristin Cavanaugh

Google, Inc. plans to launch a program, which will store patients' health records on their search engine. This pilot project will involve 1,500 to 10,000 volunteer patients from the Cleveland Clinic, and the health records will be password protected by each individual. Google however, has always stored its users search requests and e-mail conversations, and this poses a possible concern when it comes to the security of an individual's health records.

Currently, the Health Insurance Portability and Accountability Act (HIPPA) standards classify medical information as privileged communication between a doctor and patient. In addition, the law requires a doctor to notify a patient when subpoenaed for medical records. The HIPPA safety net vanishes upon transfer of health records to an online third party, such as Google, and the patient may be at risk by making it easier for the government or an opposing legal adversary to obtain information regarding his or her health. Further, since Google stores all search requests made on their search engine, an individual accessing their health records online, may be more susceptible to marketing schemes.

Once, Google, Inc. launches this program, each individual will have to weigh the benefits of convenience at the risk of loss of privacy. Patients need to remember that HIPPA only protects the doctor/patient relationship, and once records have been transferred to Google, HIPPA no longer protects the patient.

Source:

Michael Liedtke, *Google To Store Patients' Health Records*, ASSOCIATED PRESS, Feb. 21, 2008, available at http://hosted.ap.org/dynamic/stories/G/GOOGLE_HEALTH?SITE=CAACS&SECTION=HOME&TEMPLATE=DEFAULT.