

HIPAA Cyber Attack Response Checklist

Under the Health Insurance Portability and Accountability Act (HIPAA), a covered entity that experiences a ransomware attack or other cyber-related security incident must take immediate steps to prevent or mitigate any impermissible release of protected health information (PHI).

The Department of Health and Human Services' Office for Civil Rights (OCR) has issued a [checklist](#) to help HIPAA-covered entities determine the specific steps they must take in the event of a data breach.

Entities subject to HIPAA should become familiar with the OCR's checklist and [other guidance](#) for handling cyber security breaches involving PHI. These entities should also ensure they have plans for mitigating the effects of breaches.

OCR Quick-response Checklist

In the event of a cyber attack or similar emergency, a covered entity must do the following:

- Execute its response and mitigation procedures and contingency plans.
- Report the crime to appropriate law enforcement agencies.
- Report all cyber threat indicators to federal and information-sharing and analysis organizations.
- Report the breach to affected individuals and to the OCR as soon as possible.

Reportable Incidents

HIPAA regulations also require covered entities to report certain cyber-related security incidents to affected individuals, the OCR and other agencies. In general, a reportable breach occurs anytime PHI was accessed, acquired, used or disclosed.

For more information about this rule and its potential impact on your company, please contact AxisPointe Benefit Advisors, LLC.

DID YOU KNOW?

The Department of Labor (DOL) has officially dropped its support for the new overtime rule. The rule, originally scheduled to take effect in December 2016, was halted by a federal court soon before its enactment.

The DOL plans to revisit the overtime rule and use a lower salary threshold. However, in the meantime, the DOL asked that the court validate its authority to determine salary thresholds to be used in future rules. It is uncertain what the new threshold might be.

New Fiduciary Rules

The Department of Labor (DOL) released a [final rule](#) that expands who is considered a "fiduciary" when providing investment advice to retirement plans and their participants. The rule also applies to individual retirement accounts (IRAs) and health savings accounts (HSAs).

After being delayed, **the final rule became effective June 9, 2017.**

Under the rule, a person is a fiduciary if the person receives compensation for providing investment advice with the understanding that it is based on the particular needs of the person being advised or that it is directed at a specific plan sponsor, plan participant or account owner. Fiduciaries may be held personally liable in the event of a fiduciary breach.

Individuals who provide advice on HSAs may be considered fiduciaries if their communications rise to the level of investment recommendations covered by the final rule.

Contact AxisPointe Benefit Advisors, LLC for more information and guidance on this new rule.

HR Brief

Human Resources tips brought to you by
AxisPointe Benefit Advisors, LLC

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The Importance of Becoming a Better Listener

Ensuring your employees are satisfied and feel appreciated is important in order to reduce turnover. Organizations need to focus on keeping employees happy and motivated in order to stay competitive in their recruiting and retention efforts.

One area that many employers fail to hit the mark on is instilling a sense of trust and confidence in senior leadership amongst its employees. Instilling a sense of trust and confidence in senior leadership is key to protecting your organization's reputation and bottom line.

Although there are many different ways to build trust and confidence in managers and senior leadership at your organization, one simple way is to be a great listener.

Being a Great Listener—The Basics

Employees want to feel like their voices are being heard, rather than just being talked at. Experts agree that good listening typically comes down to doing the following three things:

- Not talking when your employee is talking
- Letting your employee know that you're listening with active facial expressions and verbal cues
- Being able to repeat what your employee said

In addition to making sure you follow these three suggestions, be sure to promote open communication so employees feel comfortable talking to you about whatever issues may arise.

Listening to Employee Complaints

It's inevitable that employees may have concerns or complaints that they'd like to share with you. When this happens, it's critical that you handle the situation properly. Try to make every effort to put off your other obligations and make yourself available to hear your employees' complaints. When listening to complaints, avoid making these [mistakes](#).

Remember, listening to your employees contributes to overall satisfaction, improves trust in senior leadership and can strengthen retention.

DID YOU KNOW?

A recent study conducted by Computing Technology Industry Association (CompTIA), a nonprofit trade association, revealed that only 29 percent of businesses were proactive about fighting cyber attacks.

Many companies have strong defensive cyber strategies in place, but that is not enough. Protect your organization today by training all employees on cyber security risks, reviewing weak links in your system before they're attacked and providing technology professionals with more skills training.

What Does “Competitive Pay” Really Mean?

It's no secret that top talent expects to be paid top dollar. Even with a developed recruiting program, a strong, positive culture and a comprehensive benefits package, it will be difficult for your company to attract and retain the best employees without a competitive pay policy.

What is “competitive pay”?

Most HR professionals suggest that being competitive with compensation means paying an average of 5-10 percent more or less than the market average pay for a job or a group of jobs.

What is the market average rate?

The market average rate for a job is the average pay for a position. By ordering or engaging in pay surveys, you can study what market average pay is nationally, regionally and locally for various positions, and determine whether your pay is competitive.

Click [here](#) for more information on wage statistics and pay averages.