

The Message **Archiver** & Compliance **Reviewer**

# HIPAA

## Compliance Solutions

for email and instant message record management

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**It's a matter of Reputation, Integrity & Control**

## HIPAA Messaging Compliance

**Health Insurance Portability and Accountability Act of 1996 (HIPAA)** states that all healthcare organizations must take steps to simplify and standardize electronic data exchange and protect the confidentiality and security of all electronic health data managed by the organization. While data must remain accessible to authorized users and auditors, patient privacy and security must be adequately protected. Any unauthorized transfer of data that identifies an individual patient is in violation of the privacy requirements under HIPAA.

### What is HIPAA?

Passed into law in 1996, HIPAA (Health Insurance Accountability and Portability Act) seeks to establish standard mechanisms for electronic data interchange, security and confidentiality of all healthcare related data.

### What is the Significance of HIPAA?

HIPAA provides patients with greater control over how their personal health information is used and disclosed. Organizations are obliged to establish policies and procedures to protect the confidentiality of protected health information about their patients.

### What are the Archiving & Compliance Requirements?

There are two main compliance components under the Administrative Simplification Provisions (HIPAA, Title II); the Privacy Rule and Security Rule:

**The Privacy Rule** addresses the way in which organizations can use, disclose and transmit health information. The Privacy Rule seeks to protect against the unauthorized disclosure of all "individually identifiable health information" held or transmitted by an organization or its business associate, in any form or media, whether electronic, paper, or oral.

**The Security Rule** requires organizations to ensure that all electronic protected health information they create, receive, maintain, or transmit is kept confidential, safe, and available. These requirements are organized into three categories: administrative safeguards, physical safeguards and technical safeguards.

### Who must comply?

Every health care provider who electronically transmits health information in connection with certain transactions must comply with HIPAA's Privacy Rule. The Privacy Rule applies to health care providers who electronically transmit the transactions or who use a billing service or other third party to do so on its behalf.

Affected organizations include healthcare providers, health plans, public health authorities, healthcare clearinghouses, self-insured employers, life insurers, information systems vendors, various service organizations, and universities.

### What are the repercussions of non-compliance?

Depending on the violation, non-compliance with HIPAA can result in civil or criminal penalties, including monetary fines or a period of imprisonment.

For general non-compliance, a civil penalty of \$100 per person per violation may be imposed. This may increase to up to \$250,000 per person per violation in a calendar year. Where confidential health information is disclosed under false pretenses, criminal penalties of \$50,000 and one year imprisonment may be incurred. This can increase to up to \$250,000 and ten years imprisonment if the wrongful conduct involves the intent to sell, transfer, or use individually identifiable health information for commercial advantage, personal gain, or malicious harm.

## Global Relay's HIPAA Solution

Global Relay's Message Archiver technology enables healthcare organizations to easily store and retrieve electronic communications in any format while maintaining stringent security standards. Global Relay's Message Archiver, Compliance Reviewer, and IM Interpreter are specifically engineered to provide a total compliance solution for health organizations subject to HIPAA with:

1. Recordkeeping
2. Supervision
3. Audits
4. Data Security

### 1. RECORDKEEPING



**The Message Archiver**, Global Relay's Message Archiving and Compliance System, captures and archives an authentic and complete record of all electronic business communications in a secure but easily accessible offsite storage system. Compliance features include:

- **Message Capture** of email, attachments & IM
- **Archives** messages for retention term defined by organizations deletion policies
- **Access** includes web-based instant access for all employees to their messages
- **Tamperproof** protection of data on dedicated WORM (Write Once, Read Many) drives
- **Offsite**, mirrored, single instance storage in East/West Coast Data Centers
- **Indexes** & serializes messages, Bcc & Distribution Lists, metadata & audit trails
- **Search** & retrieval of any message in seconds using Google-like search engines
- **Security** & encryption of systems, networks & messages
- **Migration** of legacy data (.pst files, backup tapes) to archive with new messages
- **Retention** Term flexibility for audits, investigations and formal proceedings

**How does the Message Archiver work?** All email, attachments and IM and are securely captured and centrally unified together with imported legacy email and .pst files, in Global Relay's Message Archiver for rapid online search, retrieval & monitoring. With secure web-based access and real-time indexing powered by search engine technology, every employee and Compliance Officer has the ability to find any current or historical message in seconds.

### 2. SUPERVISION



**The Compliance Reviewer**, Global Relay's monitoring system, provides healthcare organizations with a turn-key, flexible online supervisory system with advanced monitoring, filtering, audit and eDiscovery features enabling supervision and enforcement of your firm's email & IM policies for compliance, proper usage and corporate governance. Compliance features include:

- Scan & Monitor email, attachments & IM from online Archiver
- Content Filtering with company-defined rules to identify prohibited content
- Advanced Analysis with Boolean logic, criteria lists, proximities & action alerts
- Random Sampling of each rep's messages customized by percentage & user
- Keyword Search results are highlighted within the message for quick discovery
- Full Review of messages & attachments, or bulk review of headers only
- Multi-tiered Review structure for review escalation to Super Reviewers
- Wizard Commands for pre-defined, single-click compliance using folders, flags, priorities & labels
- Access Rights of authorized Reviewers governed by customized security rules
- Notifications of compliance violations by email or IM
- Audit Trail with detailed time history of reviews and related actions taken
- Web-based Control Center to modify surveillance & monitoring procedures
- Reviewer approval, rejection, escalation based on action icons & predefined or specific notes
- Exclude Words, phrases or email accounts (e.g. disclaimers, attorney-client privileged mail, newsletters) from Flagging Rules

**How does the Compliance Reviewer work?** Using powerful search engine technology, the Compliance Reviewer is able to retrieve your organization's messages from the Message Archiver and apply easy-to-use, company-defined filters and Wizard Commands for efficient review and monitoring of all archived email, IM, BlackBerry, Bloomberg and Reuters messages. Messages of any user are analyzed on import and flagged for review if violations are detected as follows:

1. real time filtering for keyword or phrase violations (we provide a start-up list of suggested words)
2. specific query using flexible search criteria
3. advanced rule-based keyword & phrase proximity analysis
4. random sampling rules (by User, User Group, or firm as a whole, with adjustable percentages)

### 3. AUDITS



Global Relay's Message Archiver & Compliance Reviewer Audit Tools are designed to facilitate efficient responses to regulatory audits and evidentiary requests. Global Relay has successfully assisted hundreds of regulated firms during their audits and regulatory investigations. Currently, Global Relay participates in approximately 3 to 6 customer audits per week.

- **Search** & retrieval of any message in seconds using Google-like search engines
- **Audit Request** response within minutes using online search and eDiscovery tools
- **Statistics** & reporting on Compliance Officer reviews & related actions taken
- **Legal Compliance** in-house specialists to assist during audits
- **Case Management** via folder system with shared folders (e.g. external attorney review)

**How do Global Relay's Audit Tools assist with an Audit?** Global Relay provides flexible and efficient methods to produce records according to the specific criteria of the audit request. Messages are made readily available for examination either by:

#### 1. Online review of messages via an "auditor account" in the Message Archiver

- create online search parameters based on Audit request
- restrict access to the exact scope of the audit (by date, user, subject, etc.)
- assign Auditors temporary online review privileges
- block attorney-client privileged, personal or restricted messages
- generate an automatic audit trail of Auditor's review (ie: audit the Auditor!)
- side benefit of data no longer in Auditor's possession once audit is complete

#### 2. Compilation of data for delivery to Regulators

- fast discovery, consolidation and organization of data for export & delivery
- compile requested information on regulator-qualified media such as DVD or CD

### 4. DATA SECURITY

**How do we protect your data?** All data archived with Global Relay has end-to-end security and is stored in a compressed, multi-level encryption algorithm system using National Security Agency level AES and RSA encryption.

- servers forward messages to archive via a secure connection with username and password authentication
- archive access requires 264-bit secure browser
- all remote message synchronization is transferred via hardware VPN
- all messages double encrypted with NSA-level AES & RSA secure encryption algorithms
- archived messages remain in encrypted form and are only decrypted when an authorized user conducts a search via a secure web browser
- all internal data transfer and processing utilizes encrypted pipes
- messages stored in non-rewriteable, non-erasable WORM format
- maintains a copy of all data on a minimum of four storage systems simultaneously

## Getting Started

**Getting Started...**The Message Archiver and the Compliance Reviewer can be set up and made operational for your firm within hours. Contact us at any stage by emailing: [support@globalrelay.net](mailto:support@globalrelay.net) or call 866.484.6630 toll free.



**30-Day Trial.** Let's start you on the road to compliance without risk of commitment. No software, hardware, programming, or other capital outlays are required. Satisfaction is guaranteed since you have 30 days to try out our Services. If not fully satisfied, we can disengage the Services instantly upon request. In the meantime, your data is legally and confidentially protected, as well as securely stored.



**1. Gathering Info.** Let's talk. We recognize that compliance starts with combined proactive decision-making on the part of your compliance officers, IT technicians and senior management. We have the business, technical and legal team to match. Try our online demos at: [www.globalrelay.com](http://www.globalrelay.com), or schedule a live product demonstration. We also can provide you with a Fee quote.



**2. Sign Up.** To sign up, starting with the 30-day trial, complete the [Registration Information](#) form online at: [www.globalrelay.com/signup.aspx](http://www.globalrelay.com/signup.aspx). Linked to the online signup is our online Services Terms & Conditions that you must carefully read and "Accept" to complete your registration.



**3. Installation.** Once the mail is confirmed to be flowing, we send you an email Welcome, as well as provide your Administrator with account information. At this point, your Administrator may assign User access rights and set up User Groups.



**4. Welcome Package.** Upon receipt of your online signup request, Global Relay's Provisioning Team will work with your IT contact, or your hosted mail provider, to complete the installation. For archiving customers, if your firm operates its own mail servers, simple journaling or plug-in instructions will be provided. Global Relay will test, monitor and troubleshoot the connection to confirm that the mail is flowing into the Message Archiver.



**5. Online Training.** While our Message Archiver technology is extremely intuitive, we offer free training sessions held by conference call, concurrently while you access the system through any secure web browser. These sessions run about 90 minutes. Technical information on our Services can also be found online. If you require further assistance, our team of well-trained technical support professionals will gladly guide you through any questions.



**6. Usage Consultation & Ongoing Support.** Upon expiry of the 30 day trial, assuming you are satisfied with our Services, you will be engaged as a full customer. The Fee Agreement is required to be signed and faxed back to Global Relay. Upon request, we can provide you with messaging statistics, such as usage reports (standard statistics can also be found within your system). For compliance archiving Customers, the tamperproof, dedicated WORM drive will be activated. On-going support will be provided by our business, technical and legal team.

**Enjoy the peace of mind that comes with our Mesaging Solutions.**

To learn more, visit [www.globalrelay.com](http://www.globalrelay.com)  
or call 1.866.484.6630 (toll free)

