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April 10, 2008

President Robert C. Dynes
University of California, Office of the President
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

Dear Bob:

I am writing to update you about breaches of patient privacy at the UCLA Medical Center. You have read the press reports, which continue. We take these breaches by former employees very seriously. The UCLA Health System takes this seriously. I take it seriously. Our patients — in fact all recipients of UCLA services — must be able to rely on UCLA to be a careful and diligent steward of personal information. They need to know we have systems in place to help prevent these occurrences and to identify and punish individuals who violate that trust. While no system can be foolproof — especially one covering a network that treats 300,000 patients annually — we are fully committed to doing everything we can to discharge our responsibilities effectively.

Two confirmed incidents have been reported in the press. The first involves a May, 2007, breach of 61 patient records by a former employee who resigned while the campus was in the process of terminating her employment. The campus is notifying all individuals on the list, many of whom are recognizable celebrities and public officials. The second breach occurred in February, 2008, and involved another high-profile celebrity's records. The campus terminated or suspended several employees, who were identified in part through improved auditing capabilities put in place following the May incident. All hospital employees had received a stern warning regarding inappropriate access to records and possible consequences at the time the celebrity was admitted for care.

Regrettably, after these incidents, the campus did not report the breaches to the State Department of Public Health. Our policy now and in the future will be to report incidents of unauthorized access to the DPH. Where there are any questions of interpretation of our reporting responsibilities, we will err on the side of caution. I have spoken with Kimberly Belshe, Secretary of the California Health and Human Services Agency, and pledged our full cooperation.

Additionally, the campus is taking the following steps to review and strengthen our practices:

Vice Chancellor for Medical Sciences and Dean of the David Geffen School of Medicine, Dr. Gerald S. Levey, has appointed a new panel that will review and strengthen the guidelines for and auditing of access to medical records. This committee will set clear standards to ensure that disciplinary actions imposed for breaches of patient confidentiality will be consistent for staff, students, and physicians across the UCLA Health System and proportionate to the offense.

Serving on the committee, which will begin its work immediately, are: Dr. David Feinberg, CEO and Interim Vice Chancellor, UCLA Hospital System; Dr. Thomas E. Sibert, President, UCLA Faculty Practice Group and Associate Vice Chancellor; Dr. Alan Robinson, Associate Vice Chancellor, Medical Sciences, and Executive Associate Dean; Dr. Marshall Morgan, Chief of Staff and Director of Emergency Medicine, UCLA Medical Center; Dr. Neil Parker, Senior Associate Dean, Student Affairs and Graduate Medical Education; Jane Boubelik, Chief Counsel, UCLA Health System; Carole Klove, Chief Compliance and Privacy Officer, UCLA Health System; Rodney Dykehouse, Interim Chief Information Officer, UCLA Health System; Mark Speare, Senior Associate Director, Patient Relations and Human Resources; Antoinette Mongelli, Assistant Chancellor, UCLA; Dr. Thomas Strouse, Medical Director, Stewart & Lynda Resnick Neuropsychiatric Hospital at UCLA; and Dr. David Baron, Chief of Staff, Santa Monica–UCLA Medical Center and Orthopedic Hospital.

At the end of 2007, UCLA, including the Medical Sciences, engaged an outside consulting firm, LBL, to conduct an overall audit of our information security policies and procedures and to help define best practices. We look forward to their analysis and recommendations.

On the information technology front, UCLA Health System has several initiatives underway to provide greater patient protections. Those efforts include:
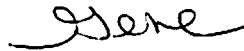
- Analyzing the strengths and limitations of the major clinical information systems in place, including both computer and personnel-based systems.

- Expanding the auditing capabilities of such information systems.

- Performing proactive audits for patients based on patient requests, celebrity status, or other criteria.

- Implementing a new clinical information system that provides an enhanced level of restricted access based on user authentication and role, where a reason for access may be requested and required before access is provided.

UCLA will continue to enhance its clinical information systems and staff training procedures to ensure that all possible measures are taken to further strengthen the confidentiality of patient information.

Additionally, I am requesting that all deans and vice chancellors across UCLA conduct a thorough review of the practices in place throughout various departments and divisions that are designed to prevent and identify inappropriate employee access to information. This includes our Admissions Office, the College of Letters and Science, and other major campus units. On Tuesday of this week, UCLA's official in charge of administrative information systems communicated to his employee users the importance of the proper use of university data and the consequences associated with employee violations of campus policies.

As you know, high-profile patients at the hospital offer an additional temptation to employees with authorized access to records. Nevertheless, it is important to continue to examine and improve upon our systems and practices throughout the entire campus. This issue has my devoted attention, and the devoted attention of Vice Chancellor Levey and Dr. David Feinberg, CEO of our hospital system.

Sincerely,

Gene D. Block
Chancellor

cc: Gerald Levey, Vice Chancellor Medical Sciences, Dean School of Medicine
        David Feinberg, CEO and Interim Vice Chancellor, UCLA Hospital System