

Instructions for Submitting Notice of a Breach to the Secretary

The breach notification interim final rule requires **covered entities** to provide the Secretary with notice of breaches of unsecured protected health information (45 CFR 164.408). The number of individuals affected by the breach determines when the notification must be submitted to the Secretary. Please review the instructions below for submitting breach notifications.

Breaches Affecting 500 or More Individuals

If a breach affects 500 or more individuals, a covered entity must provide the Secretary with notice of the breach without unreasonable delay and in no case later than 60 days from discovery of the breach. This notice must be submitted electronically by following the link below and completing all information required on the breach notification form.

If a covered entity that has submitted a breach notification form to the Secretary discovers additional information to report, the covered entity may submit an additional form, checking the appropriate box to signal that it is an updated submission.

[Notice to the Secretary of HHS of Breach of Unsecured Protected Health Information](#)

Source: OCR's website:

<http://www.hhs.gov/ocr/privacy/hipaa/administrative/breachnotificationrule/brinstruction.html>