



**NEW YORK CITY DEPARTMENT OF  
HEALTH AND MENTAL HYGIENE**

Michelle Morse, MD, MPH  
*Acting Health Commissioner*

March 7, 2025

**U.S. Department of Health and Human Services, Office for Civil Rights, Office of the Secretary**

*Via electronic submission – <https://www.regulations.gov>*

Re: HIPAA Security Rule to Strengthen the Cybersecurity of Electronic Protected Health Information; RIN 0945-AA22

Dear U.S. Department of Health and Human Services,

We are writing to provide our comments on the proposal to modify the Security Standards for the Protection of Electronic Protected Health Information (“Security Rule”) under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and the Health Information Technology for Economic and Clinical Health Act of 2009. The New York City Department of Health and Mental Hygiene (“NYC Health Department”) is committed to protecting the confidentiality and security of protected health information. NYC Health Department clinics provide health care services covered by the HIPAA Security Rule.

While we agree with the premise of the proposed rule, we anticipate that local health departments will require extensive resources in order to implement the proposed rule. This proposed rule will place additional burdens on local health departments, which are often resource constrained.

Further, we encourage reconsideration of the proposal requiring the restoration of critical systems within 72 hours. NYC Health Department believes that the timeframe for the restoration of critical systems should be defined by each organizations’ business continuity and operational needs. The proposed rule would not allow flexibility for individual organizations who have different needs.

NYC Health Department appreciates the opportunity to submit these comments on the proposed rule.

Sincerely,

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Deputy Commissioner and Chief Information Officer