



HIPAA

*Health Insurance
Portability and
Accountability Act*

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Health Insurance Portability and Accountability Act

Health care providers, including hospitals, health systems, physicians, and non-physician practitioners as well as health insurers and health care clearing houses, must comply with stringent privacy and security laws implemented by federal and state governments. These comprehensive requirements ensure that patients' health information is kept confidential and not used without patients' consent. But the rapid development of and frequent changes to these requirements pose unique compliance and reporting challenges.



Federal laws governing the confidentiality of patient information include the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Genetic Information Nondiscrimination Act of 2008 (GINA), and the Health Information

Technology and Economic and Clinical Health Act of 2009 (HITECH Act). In addition, the U.S. Department of Health and Human Services (HHS) has implemented an expansive regulatory scheme addressing privacy, security, breach notification and enforcement rules, and most states have adopted supplemental legal and regulatory requirements.

Among other things, Stradley Ronon's health care practice counsels its clients on health information privacy, security, and breach notification under federal and state law, including:

- providing advice on the reporting and other obligations upon the unauthorized disclosure of patient health information caused by employee negligence, such as misdirected mail or lost laptops
- assisting in responding to breach notification and investigation inquiries from HHS or the Office of Civil Rights
- helping avoid breaches arising from non-compliant relationships with business associates
- working with corporate clients who are covered entities and business associates to develop comprehensive HIPAA compliance programs
- advising on the development of HIPAA-compliant electronic discovery protocols in litigation involving covered entities and business associates

- drafting and negotiating business associate agreements
- training practitioners, management and other personnel on patient privacy, security and breach notification requirements

We translate complex legal issues into advice that personnel in non-legal positions – such as physicians, other practitioners, information technology specialists, medical billing and coding specialists, and marketing staff – can readily apply to ensure compliance with health care privacy laws. We also recognize that legal compliance takes place against a backdrop of administrative and business considerations that vary for each client, and we take these considerations into account when making our recommendations. In particular, we pride ourselves on giving our health care clients practical, straightforward advice they can implement as they navigate the complex legal and regulatory scheme that protects the confidentiality of health information.

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For more information on Stradley Ronon's Health Care Practice, visit www.stradley.com/healthcare.

About Stradley Ronon

For more than 95 years, Stradley Ronon has helped private and public companies – from small businesses to Fortune 500 corporations – achieve their goals. With eight offices and more than 200 attorneys, Stradley Ronon is proud to help companies manage their legal challenges and grow their businesses.

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