



Reinhart Develops New Manual for Health Plans to Address HIPAA Privacy Requirements Under HITECH Act

MILWAUKEE – [Bennett E. Choice](#), a shareholder in the [Employee Benefits Practice](#) of Reinhart Boerner Van Deuren s.c. (Reinhart), announces the firm's release of the *HIPAA Privacy for Health Plans After HITECH* manual.

Choice led the firm's development of the manual which helps health plan sponsors understand their privacy obligations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) as a result of recent passage of the Health Information Technology for Economic and Clinical Health (HITECH) Act.

HITECH, enacted as part of the American Recovery and Reinvestment Act of 2009, not only imposes new obligations, but also modifies some existing regulations issued by the U.S. Department of Health and Human Services. Sponsors of group health plans, whether they are multiemployer Taft-Hartley plans or individual employers, will find the manual valuable in helping them to understand how each change that HITECH makes to the existing HIPAA requirements affects their plans.

Key areas presented in the manual include:

- Rules for breaches of unsecured protected health information (PHI)
- The right to restrict disclosure where medical expenses are paid out of pocket
- Restrictions on marketing
- Restrictions on sales of PHI
- Broadening of accounting for disclosures
- The right to request electronic PHI
- Expansion of HIPAA compliance to business associates and business associate agreement updates
- Privacy notice updates
- Rules regarding the use of a limited data set and modification of the minimum necessary rules

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"While the Privacy Rule is complex, and we expect that interpretive guidance will continue to be issued over the next several years, plan sponsors can use Reinhart's manual to help address the point-by-point changes that health plans face as a result of HITECH."

Choice continues, "This manual provides a context for understanding the HITECH updates, a glossary of key terms, appendices containing model policies and procedures to assist plan sponsors in maintaining HIPAA compliance, and an overview of the Privacy Rule before HITECH. Additionally, we are fully prepared to assist clients with any related issues for which they seek further guidance."

Reinhart includes a CD-ROM with the manual that contains model documents for health plans that are interested in developing their own HITECH-compliant documents internally. The documents encompass all of the model policies, procedures, a breach log and related notices, and legal documents including a business associate agreement.

The *HIPAA Privacy for Health Plans After HITECH* manual is available for purchase [here](#) through the International Foundation of Employee Benefit Plans ([IFEBP](#)) at a cost of \$110.00 to IFEBP members, and \$129.00 to non-members.

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