

PRACTICE CONTACT

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PRIVACY AND SECURITY OF HEALTH INFORMATION, HIPAA COMPLIANCE AND HEALTH INFORMATION TECHNOLOGY FOR PRIVATE AND PUBLIC PROVIDERS

Health information security and privacy compliance influences key business decisions about patient care, quality improvement and information technology. Our health care attorneys are well versed in the rapidly changing fields of health information exchanges, electronic and personal health records, paper and electronic data privacy and security, health information management, and state and federal discovery rules for Electronically Stored Information (ESI). Our lawyers routinely instruct and counsel health care providers on preemption and the requirements of state and federal laws, including the HIPAA Privacy and Security Rules, state notice of breach laws, and the production of individually identifiable health information in response to discovery requests, court orders, law enforcement investigations, public health concerns, and regulators responsible for health care oversight.

In light of the significant changes contained in the 2009 Stimulus Act, we have begun advising clients on new federal notice of breach requirements, changes to anticipate for covered entities, business associates and private vendors of electronic health records and how to qualify for federal financial incentives for the further development of electronic health records.

Our experience in the area of state public records laws provides added value to our clients' who are under investigation, negotiating corrective action plans, or are involved in revocation proceedings against state or federal agencies, including the Office of Civil Rights, the Federal Trade Commission and various states attorneys general.