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## MEDIA ALERT

### **With deadline looming, First Healthcare Compliance announces three important steps for physician practices to meet HIPAA Omnibus Rule by September 23rd deadline**

Wilmington, DE –September 13, 2013 –First Healthcare Compliance™ today announced a list of ‘last minute’ must-do’s for physician practices to minimize risk and address new compliance regulations prior to the HIPAA Final Rule enforcement date on September 23, 2013. The final rule modifies and expands the obligations of covered entities (physician practices).

The top three steps First Healthcare Compliance is advising private physician practices take to meet the imposing deadline include:

#### **1) Update your Notice of Privacy Practices (NPP)**

HIPAA, enforced by the Health and Human Services Office of Civil Rights, protects patients’ rights. It is important for practices to take measures to ensure compliance. Noncompliance could result in civil penalties ranging from \$50,000 to \$1.5 million.

#### **2) Ensure all your Business Associate Agreements (BAA) are in place and up to date.**

While most physician practices are aware that the HIPAA Omnibus Rule requires them to take necessary steps in this area prior to September 23<sup>rd</sup>, many practices are challenged in determining which vendor relationships require a BAA. There are published definitions identifying who needs a BAA.

If a practice does not have the appropriate BAA in place, their procrastination can be expensive. Every time a business associate accesses patients’ information without the proper agreement, the practice is potentially exposed to very large fines.

#### **3) Modify Breach Notification Protocols to meet the new requirements**

A change in the rule regarding Breach Notification significantly impacts the procedures of a physician practice. The Omnibus Rule now requires a “risk assessment” analysis. This change in presumptions regarding need for notification is an important change for physician practice and requires new steps. Beyond the risk assessment analysis, a

practice must develop and implement processes for notifying individuals, media, and the Secretary of Health and Human Services. Various instances of breach require different elements and methods of notification and the practice must be prepared to respond appropriately.

While the above three areas are MUST-DOs for physician practices to comply with the new HIPAA Omnibus Rule, it also is recommended they consider insurance policies for added protection and secure the *right* help to address IT security-related needs under HIPAA.

To learn more or arrange to speak to the First Healthcare Compliance expert on this area, please contact Liz Chatfield at (203) 421-8494 or at [Liz@chatfieldpr.com](mailto:Liz@chatfieldpr.com). Visit First Healthcare Compliance at <http://1sthcc.com/>.

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