



REGULATORY *Alert*

NEW HIPAA OMNIBUS RULE REQUIRES UPDATED PRIVACY POLICIES AND PROCEDURES

On September 23, all adult day health care facilities that are subject to the HIPAA privacy and security rules must come into compliance with the “HIPAA Omnibus Rule,” which implements changes required by the HITECH Act of 2009.

Any facility engaging in electronic transmission of protected health information is included. The new rules make minor revisions in a large number of areas and extensive changes in a few, such as the requirements for dealing with Business Associates, and for providing notification of security breaches to patients and government agencies. Failure to have internal guidelines in place that comply with the new Rule can lead to fines and other sanctions after September 23, 2013.

In response, CAADS engaged Hanson Bridgett to make extensive revisions to the Privacy Policies and Procedures Manual created in 2003 for adult day health care providers, when HIPAA first appeared on the scene. In addition, the new manual includes updates required by changes in California confidentiality laws since that time. As a result, the new Policies and Procedures not only cover all of the duties imposed by the Omnibus Rule, but also address the sometimes complex interplay between HIPAA and California law. Here are the manuals “chapter” headings:

- Disclosure of Protected Health Information Outside ADHC
- Use of Protected Health Information within ADHC
- Participants Rights
- Notification of Security Breaches
- Administrative Requirements

Where appropriate, model forms and templates are provided for adult day health care centers use to fulfill their legal duties. The manual is designed to be easily customizable to your center and replaces the previous HIPAA Policy and Procedures Manual in its entirety.

CAADS is making the new Privacy Policies and Procedures Manual available to CAADS members for only \$250. Non-Member price is \$500.

An order form is included with this *Alert*. Manuals are ready and available for electronic download now!