

## **HIPPA Privacy – Electronic Transmission Regulations**

This FYI discusses regulations generally affecting employer health plans (e.g., medical, dental, vision, and health flexible savings accounts) and their business associates under the Health Insurance Portability and Accountability Act ("HIPAA") privacy rules. HIPAA regulates health information and includes special standards for electronic transmission of certain information. Employers will want to review their plans' compliance with these new regulations.

The Department of Health and Human Services provided a Fact Sheet regarding the changes: <http://www.cms.hhs.gov/apps/media/press/factsheet.asp?Counter=3407&intNumPerPage=10&checkDate=&checkKey=&srchType=1&numDays=3500&srchOpt=0&srchData=&keywordType=All&chkNewsType=6&intPage=&showAll=&pYear=&year=&desc=&cboOrder=date>

### **What should employers do?**

- Contact service providers and review internal procedures with respect to compliance with the new regulations.

### **Cynthia A. Van Bogaert**

is a partner with Boardman, Suhr, Curry & Field LLP. She is a faculty member for employee benefits courses for ALI-ABA and the Employee Benefits Institute of America, as well as author of the 401(k) column on BenefitsLink, a national employee benefits Web site.

These articles are not legal advice. Individuals should seek advice based on their particular circumstances from

their own counsel. Nothing in this article is intended to be used, and no information can be used, for the purpose of avoiding penalties under the Internal Revenue Code, or promoting, marketing, or recommending to another party any transaction or matter addressed in this article. © 2008 Cynthia A. Van Bogaert All rights reserved.