



HiTECH

The law is the law, and Mountjoy Chilton Medley LLP is keeping up with legislation changes regarding privacy and information security. Proactive and proper compliance helps organizations reduce overall risk and is essential for any business in order to avoid potential violations and associated civil and criminal penalties.

The Health Information Technology Act (HiTECH Act) of 2009 not only lays out new privacy requirements, but it is also an enhancement of the security regulations laid out in the 1996 HIPAA legislation. It sets the first federally mandated guidelines for breach notification requirements. The new law authorizes states to pursue enforcement based on their interpretation of breach. Penalties and violations are now more defined, with several tiers and degrees of intention, and possible penalties are much higher.

Healthcare professionals have to be especially careful, but new legislation also includes requirements for other industries associated with healthcare organizations. Business associates are now held to the same requirements and accountability as healthcare organizations, and they are required to sign contracts assuring that their processes maintain privacy and security requirements.

Let MCM help manage your compliance to ensure your business risk is minimized.

HITECH ACT Highlights:

- *New breach notification requirements*
- *Expands HIPAA data privacy & security requirements to “business associates”*
- *Strengthens HIPAA enforcement measures*
- *Introduces willful neglect*
- *Authorizes states to enforce breach law*
- *Deadline for compliance is Feb. 17, 2011*