

News Release

House stimulus package passes; will affect HIPAA and HIT

The national economic recovery plan (H.R. 1), which passed the House yesterday, contains several key health care provisions that will affect compliance officers by strengthening privacy and security protections of health information. The legislation would:

- * Establish a federal breach-notification requirement for non-encrypted health information.*
- * Allow patients to request an audit trail showing all disclosures of their health information made through an electronic record.*
- * Require providers to obtain patients' authorization before using their health information for marketing and fundraising.*
- * Increase penalties for violations and provide greater resources for enforcement and oversight activities.*

The provisions are part of the proposed \$800 billion American Recovery & Reinvestment Act, which, among other things, would advance use of health information technology (HIT) by requiring the government to invest \$20 billion in HIT infrastructure and Medicare and Medicaid incentives. The bill goes to the Senate next for consideration.