



EXPERT UPDATE



HHS Releases Omnibus HIPAA/HITECH Final Rule



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On January 17th, 2013, the Department of Health and Human Services (HHS) released its Omnibus Final Rule which modifies provisions of HIPAA, the HITECH Act, and GINA. The regulations were originally proposed on July 14, 2010, and now with the HHS' recent approval, the Omnibus Final Rule will become effective on March 26, 2013. Although, the first deadline is not scheduled until later this year (September 23, 2013).

In examining the text of this prodigious publication, the majority of the Omnibus Final Rule's guidance is directed toward health care providers, leaving the original compliance framework for employers largely unaffected. However, employers must still be mindful of several upcoming developments. The Omnibus Final Rule sets forth new disclosure and penalty provisions for employers who sponsor HIPAA-covered plans ("covered entities"), and it also implements considerable changes for those employers acting as "business associates."

To continue reading on this subject, please see Littler Mendelson's article by Philip Gordon entitled, "*Five Key Takeaways for Employers Confronting The Massive Omnibus HIPAA/HITECH Final Rule.*" Attorney Gordon's posting may be accessed here:

<http://privacyblog.littler.com/2013/01/articles/hipaa-1/five-key-takeaways-for-employers-confronting-the-massive-omnibus-hipaahitech-final-rule/>

To download the text of the Omnibus Final Rule, please follow this link:

http://www.ofr.gov/OFRUpload/OFRData/2013-01073_PL.pdf

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