

Reminder Regarding HIPAA Privacy Notice

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The privacy standards of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) require that, at least once every three years, a reminder of the availability of the HIPAA Privacy Notice (and how to obtain a copy of the Notice) be provided to health plan participants. According to the U.S. Department of Health and Human Services, this requirement may be satisfied in a number of ways, including:

- Providing a copy of the HIPAA Privacy Notice;
- Providing a reminder of the availability of the HIPAA Privacy Notice and information on how to obtain a copy; or
- Including in a plan-produced newsletter or other publication information about the availability of the HIPAA Privacy Notice and how to obtain a copy.

If one or more of your health plans is a “small health plan” (a plan subject to HIPAA with annual premiums or claims paid that are not more than \$5 million) and participants have

not been given the HIPAA Privacy Notice or a reminder of the availability of the Notice since the original compliance date (April 14, 2004), action must be taken by April 14, 2007. Small health plans should prepare to meet this requirement using the most efficient and cost-effective means, such as providing a stand-alone copy of the HIPAA Privacy Notice or the reminder by the April 14, 2007 deadline.

In order to comply with this requirement and automatically meet the three-year rule in the future, we recommend that a reminder of the availability of the HIPAA Privacy Notice (and how to obtain a copy) or a copy of the notice itself, be included with one of the company’s annual communications with participants (i.e., the annual open enrollment package, the annual Women’s Health and Cancer Rights Act notice, or the summary annual report).

Please let us know if we can be of assistance in meeting this requirement.

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Employee Benefits Team

Kathleen O'Connor Adams
(312) 569-1306
Kathleen.Adams@dbr.com

Gary D. Ammon
(215) 988-2981
Gary.Ammon@dbr.com

Marla B. Anderson
(312) 569-1314
Marla.Anderson@dbr.com

Jason L. Brodsky
(215) 988-2581
Jason.Brodsky@dbr.com

Mark M. Brown
(215) 988-2768
Mark.Brown@dbr.com

Barbara A. Cronin
(312) 569-1297
Barbara.Cronin@dbr.com

Mona Ghude
(610) 993-2241
Mona.Ghude@dbr.com

Megan Glunz Horton
(312) 569-1322
Megan.Horton@dbr.com

Sharon L. Klingelsmith
(215) 988-2661
Sharon.Klingelsmith@dbr.com

Tina Kuska
(312) 569-1320
Tina.Kuska@dbr.com

David Levin
(202) 230-5181
David.Levin@dbr.com

Howard J. Levine
(312) 569-1304
Howard.Levine@dbr.com

Benjamin S. Lupin
(215) 988-2905
Benjamin.Lupin@dbr.com

Joyce L. Meyer
(312) 569-1305
Joyce.Meyer@dbr.com

Sarah Bassler Millar
(312) 569-1295
Sarah.Millar@dbr.com

Joan M. Neri
(973) 549-7393
Joan.Neri@dbr.com

Jean D. Renshaw
(610) 993-2259
Jean.Renshaw@dbr.com

Michael D. Rosenbaum
(312) 569-1308
Michael.Rosenbaum@dbr.com

Lori L. Shannon
(312) 569-1311
Lori.Shannon@dbr.com

Veronica Silva-Minin
(312) 569-1323
Veronica.Silva-Minin@dbr.com

David L. Wolfe
(312) 569-1313
David.Wolfe@dbr.com

DrinkerBiddle

LAW OFFICES | CALIFORNIA | DELAWARE | ILLINOIS | NEW JERSEY
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Jonathan I. Epstein and Edward A. Gramigna, Jr., Partners in Charge of the Princeton and Florham Park, New Jersey Offices, respectively.

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