



August 2013

Compliance Date of HIPAA Omnibus Rule Approaching

By September 23, 2013, covered entities, their business associates, and certain subcontractors of business associates must comply with recent revisions to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) made by the Department of Health and Human Services (HHS) pursuant to the [Omnibus Rule](#) published on January 25, 2013. The Omnibus Rule strengthens the privacy and security protection for individuals' health information, modifies the breach notification rule consistent with the Health Information Technology for Economic and Clinical Health Act, and makes certain other changes to the HIPAA regulations. Covered entities may need to modify their HIPAA policies and procedures, notice of privacy practices, and business associate agreements to comply with the Omnibus Rule. Such modifications may require new training for employees and staff. In addition, business associates and their subcontractors must comply with certain provisions of HIPAA. For example, the Omnibus Rule requires business associates to enter into business associate agreements with any subcontractors who perform a function or service subject to HIPAA.

The general compliance date for the revisions contained in the Omnibus Rule is September 23, 2013. The Omnibus Rule includes, however, a grandfathering provision for certain business associate agreements, providing that if a covered entity had a HIPAA-compliant business associate agreement in place prior to January 25, 2013, and that business associate agreement is not renewed or modified between March 26, 2013, and September 23, 2013, then such agreement will not need to be modified to comply with the new standards until the earlier of September 22, 2014, or the date on which the agreement otherwise renews or is modified.

FOR MORE INFORMATION

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