As the Internet, social media, and digitization of business and personal activities becomes more ubiquitous, the risks of having our personal information compromised has become so likely that we know it will happen if it has not already occurred. Although HIPAA applies primarily to the health care sector, the extent to which our data is now captured, stored and shared across many platforms muddies the separation of information and adds to the risk.

This presentation will focus on HIPAA Privacy and Security Rules, their legal/historical precedents, and provides current scenarios involving hacks, ransomware, theft, breaches, and other activities that have generated fines and legal action. These provide examples of the situations legal counsel may face when representing either a HIPAA covered entity or an individual(s) interacting with a HIPAA covered entity. It also outlines how HIPAA is only one of the potential legal privacy and security risks any business may face, and how HIPAA’s privacy and security requirements provide the foundation for good privacy and security practices that can be applied to any industry or sector that holds or accesses personally identifiable information.

Vicki Hohner – Independent Consultant, Olympia

1:30 p.m. Corporate of Practice Medicine Doctrine in Washington

This presentation will explore the origins and current state of Washington’s corporate of practice medicine doctrine (which generally requires that a licensed healthcare professional own and control the entity delivering health care services). It will highlight the most common exceptions, feature a discussion of recent enforcement actions by the Department of Health, and provide practical tips for compliance.

Luke J. Campbell - Montgomery Purdue Blankinship & Austin PLLC, Seattle
Kyle S. Karinen - Washington State Medical Commission, Tumwater

2:30 p.m. BREAK

2:45 p.m. Regulatory Compliance

Seth will discuss the administrative hearing process, with an emphasis on those licensed through the Department of Health. Mr. Rosenberg will also provide an overview of the development of administrative law and current developments.

Seth Rosenberg - The Seattle Litigation Group, PLLC, Seattle

3:45 p.m. 42 CFR Part 2: Confidentiality of Substance Abuse Disorder Records

42 CFR part 2 (Part 2) implements 42 USC 290 §290dd-2 and establishes stringent confidentiality requirements for substance use disorder patient records maintained in connection with a Part 2 program. This session will provide an overview of Part 2 from the perspective of attorneys who represent a health oversight agency with authority to evaluate Part 2 programs, along with some observations about the challenges Part 2’s confidentiality requirements present.

Jack E. Bucknell - Office of the Attorney General, Olympia
Christopher Gerard - Office of the Attorney General, Olympia

4:45 p.m. Complete online evaluations • ADJOURN

5:00 p.m. – 6:00 p.m. Social hour hosted by the Health Law Section
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