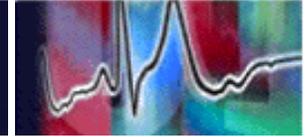




ROBINSON & COLE LLP

Health Law Pulse



### **EMTALA: CMS Clarifies Some Issues But Complicates Key On-Call Provisions**

At long last, the Centers for Medicare and Medicaid Services (CMS) released final Emergency Medical Treatment and Active Labor Act (EMTALA) regulations, provoking a mixed bag of reactions. The regulations, which will become effective on November 10, 2003, clarify certain EMTALA issues, but leave hospitals and physicians without guidance on very important issues. [\[Full Article\]](#)

### **Five Years in the Making: The Final Security Rule of HIPAA Adopts a Flexible Approach**

On February 20th, 2003, the U.S. Department of Health and Human Services (DHHS) published the final security rule as part of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Originally proposed in 1998, the security rule sets forth national standards for protecting the confidentiality, integrity, and availability of electronic protected health information (PHI). Covered entities have until April 21, 2005 (April 2006 for small health plans) to comply with the rule's various administrative, physical, and technical safeguards. [\[Full Article\]](#)

### **To Ensure HIPAA Compliance – Audit!**

Susan had minor surgery last week. It was done in a hospital on an outpatient basis. No one ever gave Susan the hospital's Notice of Privacy Practices. The only form Susan signed was one regarding the risks of the surgery. When Susan, who became familiar with HIPAA from visiting various doctor's offices, asked the hospital staff if they were in compliance with HIPAA, they stated that all the employees had training, but that no one understood the policy. When Susan asked for the hospital's Notice of Privacy Practices, no one knew if the hospital even had such a Notice.

Don't let this happen to you! [\[Full Article\]](#)

### **HIPAA Frequently Asked Questions**

This is an installment in our ongoing series of frequently asked questions related to a health care provider's compliance with HIPAA. [\[Full Article\]](#)

This is an archive of past issues. As a result, it may contain information that is not current.

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