



## PRIVACY AND HEALTHCARE TECHNOLOGY

### Better Health

Barnes & Thornburg delivers a depth of practice and comprehensive understanding of the intricacies related to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and other privacy laws. We offer healthcare providers practical HIPAA solutions regarding federal compliance and state breach notification laws, as well as assistance in managing data breaches.

Among our privacy and healthcare technology clients are health plans, healthcare providers, healthcare clearinghouses and business associates seeking to continuously evolve and comply with complex and changing privacy laws.

Our team provides proven skill to healthcare industry clients of all sizes and phases of organizational development in:

- Advising on the appropriate uses and disclosures of protected health information
- Creating practical and workable HIPAA policies and procedures
- Training workforce members on HIPAA requirements
- Conducting HIPAA audits
- Drafting and negotiating business associate agreements
- Drafting notices of privacy practices and other documents required by HIPAA
- Responding to potential and actual breaches, including notification of affected individuals
- Representing clients under investigation by the Office for Civil Rights and state attorneys general

In today's environment, in which HIPAA and healthcare technology are

### Why Barnes & Thornburg?

Finding new ways to help clients identify solutions and new business opportunities, across industries, is at our core. We are, at times, more than lawyers, we are advisers bringing new ideas to light. We understand what keeps you up at night and work collaboratively to find practical and creative solutions, at the heart of business.

### RELATED PRACTICES

Drug and Medical Device

Healthcare

Hospitals and Other Healthcare Providers

Life Sciences

intertwined, healthcare providers must embrace and understand innovation in order to keep pace with healthcare reform efforts. Notably, the ACA makes adoption and meaningful use of electronic health record (EHR) technology critical to the ability of providers to take advantage of financial incentives and position themselves to participate in accountable care organizations and quality reporting incentives.

Our interdisciplinary approach to problem-solving supports our firm in traversing healthcare technology transactions efficiently. We draw upon the experience of our healthcare, corporate and IP teams to deliver insightful counsel to even the most sophisticated transactions. We are also skilled in negotiating and drafting agreements related to EHR, personal health records (PHR), e-prescribing, billing, practice management and other healthcare-related software agreements.

Our firm has drafted and negotiated agreements on behalf of some of the largest technology, healthcare and pharmaceutical companies in the country, as well as for hospitals and physician groups. In addition, we prepare patents and copyright applications for EHR and other healthcare-related software and are fluent in the unique commercial and regulatory environment in which healthcare organizations operate.

As telemedicine and telehealth continue to emerge as more prevalent avenues for providing patient care and health information, hospitals and healthcare providers seek us out for critical guidance on meeting regulatory requirements and on establishing payment and coverage protocols. We know this terrain well – our team regularly advises on the specific legal issues surrounding the technology, delivery of services, regulatory matters and patient privacy challenges that accompany telemedicine and telehealth, including:

- Coverage and payment
- Healthcare professional licensure, credentialing and privileging
- Online prescribing of pharmaceuticals and lab tests
- Medical malpractice insurance
- Professional liability insurance
- Data security and privacy
- Fraud and abuse

## Practice Leaders



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