



TO: Our Valued Clients
FROM: Health Plans, Inc.
DATE: December 6, 2019
RE: Notice of Privacy Practice Reminder – Action Required

As you know, the Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law governing the privacy and security of your members' health information. As required by HIPAA, you must maintain a Notice of Privacy Practices ("Privacy Notice") that describes your privacy practices, legal duties and members' rights concerning their protected health information.

The Privacy Notice must be provided to an employee at the time that the employee first enrolls in your employee health benefit plan ("Plan") and, if the notice is posted to the Plan's website, a paper copy must be provided upon an employee's request. (The Plan is not required to provide separate notices to dependents.) If there is a material revision to the Privacy Notice, it must be distributed to all employees covered by the Plan within 60 days of the revision.

In addition, HIPAA requires employers at least once every three (3) years to notify employees covered by the Plan of the availability of the Privacy Notice and how to obtain it. This reminder does not require a separate distribution; therefore, you may include the reminder with other materials being sent to employees.

Employers may satisfy this requirement by either:

- Sending employees a copy of the Privacy Notice or a reminder about the availability of the Privacy Notice and how to obtain a copy at least every 3rd anniversary; or
- Including a copy of the Privacy Notice or a reminder about the availability of the Privacy Notice and how to obtain a copy in the annual re-enrollment materials.

If it has been more than 3 years since you last distributed the Privacy Notice or a reminder to employees and you have not included the Notice or reminder in your open enrollment materials, we have attached the following materials that you may distribute to your employees:

- A sample letter you may use to distribute to employees reminding them of the availability of the Privacy Notice and how to obtain a copy.
- A copy of Health Plans' Privacy Notice* that you may wish to distribute to employees in lieu of sending a reminder.

Please contact your Health Plans Account Manager if you have any questions about the Privacy Notice reminder.

* Unless otherwise requested, we issue our Privacy Notice on your plan's behalf and provide it to new enrollees in your Plan in the new member kits we send out. We also post the Privacy Notice to our website in a location where it is prominently displayed to your members (on the *Members* home page). Members can also print a paper copy from the website.

Regards,

Health Plans, Inc. Privacy Office



The information contained in this eBlast is based on our current understanding of recent regulatory developments which may affect group benefit plans. It should not be construed as specific legal advice or legal opinion. The contents are for general informational purposes only and are not a substitute for the advice of legal counsel.