



115 Continuum Drive | Liverpool, NY 13088
315 448-9000 | 315 476-8440 fax
www.ebsrmsco.com

HITECH Compliance Deadlines Fast Approaching

The Health Information Technology for Economic and Clinical Health Act (HITECH Act) was enacted as part of the American Recovery and Reinvestment Act of 2009 (ARRA). The HITECH Act made considerable changes to the HIPAA Privacy and Security requirements. Many of the HITECH Act's provisions will take effect or become subject to enforcement soon.

Before the passage of ARRA, the HIPAA Privacy and Security rules only applied directly to covered entities (e.g. health care providers, health plans and health care clearinghouses). Their business associates (e.g. third party administrators, etc.) were responsible for complying with the law indirectly through business associate agreements with covered entities. With the passage of ARRA, business associates are now subject to the HIPAA Privacy and Security rules in the same way that covered entities are and penalties can be assessed to any business associate that does not comply. You may have recently received, or will soon be receiving, an addendum, which is intended to modify your service agreement with

EBS- RMSCO, to comply with HITECH and other Regulations issued to date by the Department of Health and Human Services.

EBS-RMSCO, as a business associate, has always complied with the HIPAA Privacy and Security Rule by using encryption software and other policies and procedures to safeguard our clients' Protected Health Information (PHI).

As a result of the HITECH Act, you may see an increase in encrypted email sent from EBS-RMSCO. Detailed instructions are included with any encrypted email describing how to open the message.

As a reminder, any emails or electronic information that includes PHI that you, as a covered entity, send to EBS-RMSCO must be sent encrypted in order to be in compliance with HIPAA and the HITECH Act as well.

Please contact your Client Services Representative if you have any questions or if you have problems opening an encrypted email.

