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Includes Coverage of New HIPAA Omnibus Rule

Medical Records Law in Wisconsin

Madison, WI • February 28, 2014

Faculty

Moderator:
Kristin Degeneffe, *Wynwell Law LLC*

Jonathan P. Groth
Groth Law Firm, S.C.

Scott Thill
Godfrey & Kahn, S.C.

Barbara J. Zabawa, J.D., M.P.H., FACHE
Whyte Hirschboeck Dudek S.C.

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Gain new insights in the latest updates to medical records law in Wisconsin.

As medical records law continues to evolve, the complexities of how your organization manages these sensitive records now will impact your legal liability later. When improperly handled, your records management practices are far reaching and potentially damaging to your organization. Proper records management is only a small part of protecting your business from damaging legal issues that will happen without understanding the full scope of what your responsibilities are as it pertains to HIPAA and patients' rights. Not knowing about these important updates does not protect your organization from financial responsibility for damages. Register today.

You Will Learn

- When does HIPAA apply?
- Patient's rights – learn how you must handle this sensitive matter to stay within legal guidelines and protect your organization.
- Determine the proper method of responding to subpoenas and other requests for medical records.
- HITECH Act issues – when do you have a notice of breach obligation?

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Seminar Agenda

8:30 AM - 9:00 AM **Registration**

9:00 AM - 10:30 AM **Overview of HIPAA**

— *Kristin Degeneffe*

- Purposes
- Patient Rights
- Prohibitions
- Enforcement
- Practical Considerations
- HIPAA Omnibus Rule

10:30 AM - 10:45 AM **Break**

10:45 AM - 12:15 PM **Tricky Disclosure Situations**

— *Barbara J. Zabawa, J.D., M.P.H., FACHE*

- When and What Can You Disclose to Family and Friends?
- When and What Can You Disclose to Authorities?
- When Is There a Notice of Breach Obligation and Other HITECH Act Issues?

12:15 PM - 1:15 PM **Lunch (On Your Own)**

1:15 PM - 2:45 PM **Updates Relating to the Health Information Technology for Economic and Clinical Health Act (HITECH) and Its Regulations**

— *Scott Thill*

- Overview
- Impact of Regulations
- Practical Guidance

Protected Health Information and Transactions

- Sharing Information During Due Diligence
- Transfer of Records
- Post-Transaction Considerations

2:45 PM - 3:00 PM **Break**

3:00 PM - 4:30 PM **Litigation and E-Discovery**

— *Jonathan P. Groth*

- Commencement of a Lawsuit
- Document and Information Requests – Requests for Production, Interrogatories, Requests for Admission and Subpoenas
- Your Obligations – Deadlines for Response and the Consequences of Failing to Respond
- Protective Orders and Obtaining Permission to Release Medical Records Information
- How to Respond – The Nuts and Bolts of What to Expect
- Motions to Compel and Depositions
- Motions and Trial

Presented By:

Kristin Degeneffe - Moderator

- Attorney at Wynwell Law LLC
- Practice is primarily focused on civil litigation and insurance disputes
- Previously worked as a policy analyst for the Wisconsin Office of the Commissioner of Insurance
- J.D. degree, University of Wisconsin Law School; bachelor's degree in economics, UW-Madison

Jonathan P. Groth

- Attorney with Groth Law Firm, S.C.
- Frequent lecturer to local and state bar associations on topics related to personal injury litigation
- Serves as an adjunct professor at Cardinal Stritch University and serves on various State Bar of Wisconsin committees
- Represented clients at trial whose medical information was disclosed and their right to privacy violated
- J.D. degree, Marquette University Law School

Scott Thill

- Attorney in the Health Care Practice Group in Godfrey & Kahn, S.C.'s Green Bay office
- Practice focuses on handling general health care matters and has experience advising clients on compliance issues, Stark, anti-kickback, fraud and abuse issues, HIPAA and various pharmacy law issues
- Drafted and reviewed a variety of contracts for health care providers
- J.D., M.H.A. and B.B.A. degrees, University of Iowa
- Can be contacted at 920-432-9300 or sthill@gklaw.com

Barbara J. Zabawa, J.D., M.P.H., FACHE

- Shareholder in the Madison office of Whyte Hirschboeck Dudek S.C.
- Practices in health law and leads the Whyte Hirschboeck Dudek S.C. Health Law Team
- Taught health law at the University of Wisconsin Law School
- Current member (former chair) of the Health Law Section Board of the State Bar of Wisconsin and is a fellow of the American College of Health Care Executives
- J.D. degree, University of Wisconsin Law School; M.P.H. degree, University of Michigan; B.A. degree, Lawrence University
- Can be contacted at 608-234-6075 or bzabawa@whdlaw.com

Yes! Sign me up!

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Where Is It?

Radisson Inn
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Who Should Attend?

This seminar is designed for medical records directors, health information directors, business managers, office managers, nurses, hospital administrators, compliance directors, release of records professionals and attorneys.

GENERAL INFORMATION:

- This seminar may be recorded by Lorman Education.
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- Lorman Education Services is not approved to offer self-study CPE credit for accountants; therefore, no CPE will be given for this program if ordered as a self-study package.

CANCELLATIONS: Substitute registrants can be named at any time. A full refund, less a $20 service charge, will be given if notification is given six or more business days in advance. Notification of less than six business days will result in a credit that can be applied to any Lorman products or services. If you do not cancel or attend, you are responsible for the entire payment.

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