

2022 FALL
VIRTUAL CONFERENCE



DEJA-MOOO

November 3-4, 2022 | HIPAA COW

SCHEDULE OF EVENTS

Thursday, November 3, 2022



Time	Event	Speaker(s)
8:00-8:10 am	Opening Remarks	Jonathan Klock
8:10-9:10 am	Upcoming Legislation and Recent OCR Guidance	Sarah Coyne, Rachel Weiss, Kelsey Toledo, Noreen Vergara
9:10-9:20 am	Break	
9:20-10:20 am	De-Identification with the Expert Determination Method	Bradley Malin
10:20-10:30 am	Break	
10:30-11:30 am	Common Misconceptions in Privacy and Security	Meghan O'Connor, Jeffrey Dunifon
11:30-11:40 am	Break	
11:40-12:40 pm	Learn From Other's Mistakes: How to Avoid an OCR Civil Monetary Penalty	Elizabeth Delahoussaye

Friday, November 4, 2022

Time	Event	Speaker(s)
8:00-8:10 am	Opening Remarks	Jonathan Klock
8:10-9:10 am	Who Brought Cookies? OCR, DOJ, and Attorney General investigations into Healthcare's Use of Website Trackers	Aleksandra Vold, Stefanie Ferrari
9:10-9:20 am	Break	
9:20-10:20 am	Data Destruction	Jonathan Klock, Kirstin Wild, Allison Dressel
10:20-10:30 am	Break	
10:30-11:30 am	"So, You Have Remote Employees? Panel Discussion on Practical Privacy, Security and Compliance Tips" and Discussion on Privacy and Security	Eric Brotten Sarah Boswell-Healey, Tricia L. Kvitrud, Erica Mills

Promotional Support

Wisconsin Hospital Association (WHA) & Wisconsin Health Information Management Association (WHIMA)
We thank them for their support!

INFORMATION



REGISTER HERE

REGISTRATIONS

Registrations for all HIPAA COW events are taken ONLINE ONLY!
Go to our [website](#) or click on the link above to register.

Registration Fees

Early bird (until October 10): \$75 • Regular (after October 10): \$95

**Conference fees are non-refundable*

CANCELLATION POLICY

HIPAA COW reserves the right to substitute programs due to unforeseen events. Should you be unable to attend for any reason you will not receive a refund.

SESSION HANDOUTS

Session handouts will be made available prior to the conference so attendees may download the handouts to their mobile devices or print their own handouts. An email with a link to the handouts will be sent to all registered and paid attendees prior to the event.

HIPAA 101 EDUCATIONAL MATERIALS

Our website has materials specifically designed to provide an introduction to HIPAA basics. These materials may be especially beneficial to individuals new to HIPAA. If you have limited understanding of HIPAA, we recommend you view these prior to attending our conference, as our sessions tend to be more advanced. These materials are available on the HIPAA COW Resources page.

This is a Live virtual event and will be held via Zoom.

All attendees are responsible for ensuring they can connect via Zoom prior to the meeting. HIPAA COW is unable to provide technical support during the conference.

Links to join the event will be sent to registrants a few days prior to the event.

Continuing Education

Continuing Legal Education (CLE) Credits

We have applied for Wisconsin CLE Credits. Once available, we will update the brochure with the number of approved credits.

SESSION INFORMATION

November 3, 2022

8:10-9:10 a.m.

Upcoming Legislation and Recent OCR Guidance

Sarah Coyne, Partner, Quarles & Brady LLP
Rachel Weiss, Senior Counsel, Quarles & Brady LLP
Kelsey Toledo, Associate, Husch Blackwell LLP
Noreen Vergara, Senior Counsel, Husch Blackwell LLP

In this session we will discuss recent changes and expected changes in the laws governing privacy or security of health care information including:

- The status of the expected final HIPAA regulations addressing coordination of care and access to care (NPRM Dec. 10, 2020)
- How HIPAA's increased focus on "right of access" interfaces with the Information Blocking Rule and particularly the "Preventing Harm" exception
- The effect of the U.S. Supreme Court's decision in the Dobbs case on disclosure of information.
- Recent changes to the regulations governing substance use disorder (42 CFR Part 2) and related guidance, and interface with HIPAA.
- What we can learn from recent OCR enforcement actions and settlements.
- HHS guidance on telehealth and audio only care encounters.

9:20-10:20 a.m.

De-Identification with the Expert Determination Method

Bradley Malin, PhD, Accenture Professor of Biomedical Informatics, Biostatistics, and Computer Science, Vice Chair for Research Affairs, Department of Biomedical Informatics Affiliated Faculty, Center for Biomedical Ethics & Society

This presentation will walk through the process of de-identification with an expert determination from the perspective of an expert data scientist. What are the benefits of the expert determination method? What does the process look like? What should covered entities and business associates do before beginning the process?

10:30-11:30 am

Common Misconceptions in Privacy and Security

Meghan O'Connor, Partner, Quarles & Brady LLP
Jeffrey Dunifon, Director, Privacy and Data Security Counsel, Dexcom

What are the common misunderstandings, misinterpretations, and mistakes in operationalizing privacy, security, and breach notification requirements under HIPAA and state law? Attendees are encouraged to submit suggestions and questions in advance, and we will unpack them (anonymously) during this session. Examples include BAAs, offshoring, information blocking, HIPAA/FERPA intersection, etc. Can we stump the speakers?

11:40 am – 12:40 pm

Learn From Other's Mistakes: How to Avoid an OCR Civil Monetary Penalty

Elizabeth Delahoussaye, VP and Chief Privacy Officer, Ciox

While you may or may not be familiar with the processes and inner workings of the Office of Civil Rights (OCR), this session will provide you access to over 20 lessons learned from organizations like yours. We'll discuss the similarities of those who received civil monetary penalties as we review real-world scenarios from large hospitals and healthcare systems and small clinics alike. We'll provide you with the toolset to ensure compliant and comprehensive data sharing across multiple EHR systems as we share industry-wide best practices. Join Ciox Health as we share the tips and tricks to providing high quality patient and regulatory requirements, and avoiding complaints or worse, OCR actions and civil money penalties.

November 4, 2022

8:10-9:10 a.m.

Who Brought Cookies? OCR, DOJ, and Attorney General investigations into Healthcare's Use of Website Trackers

Aleksandra Vold, Partner, BakerHostetler
Stefanie Ferrari, Associate, BakerHostetler

In spring of 2022, many healthcare entities were contacted by journalists at The Markup, asking if the entity was aware that it had a Facebook/Meta pixel on the entity's website that was sending patient information to Facebook. The Markup published an article about healthcare's use of advertising technology in June, naming dozens of prominent healthcare entities as using advertising technology and accusing those entities of sending confidential patient information to third parties. The article - and the entities' use of adtech - caught many compliance and privacy teams by surprise, signaling a disconnect between marketing and compliance teams. While entities rushed to assess their adtech posture, dozens of investigations have been launched by state AGs, state DOJs, HHS OCR, and the US Congress. BakerHostetler will give an inside view into the investigations, what is "adtech", and what their covered entity clients are uncovering about the impacts to patient privacy.

9:20 – 10:20 am

Data Destruction

Moderator: Jonathan H. Klock, JD, CHPC, Sr. Staff Attorney | Legal Services,
Marshfield Clinic Health System

Kirsten Wild, Corporate Compliance Officer/President, Wild Consulting, Inc.
Allison Dressel, Counsel, Polsinelli

How can your organization securely destroy data containing protected health information without violating the HIPAA obligation to apply appropriate administrative, technical, and physical safeguards to protect the privacy of protected health information (PHI), in any form? How can your organization limit incidental and avoid prohibited uses of PHI in connection with the disposal of information? While most organizations have implemented cybersecurity measures that account for destruction of electronic data, many organizations continue to struggle with destruction of paper records, labeled prescription bottles, hospital identification bracelets or other tangible media containing PHI. This panel will discuss the legal, operational and practical implications for covered entities and business associates related to data destruction. The panel will discuss potential penalties and relevant OCR settlements, as well as provide practical pointers and advice on safe and compliant destruction of data.

10:30 -11:30 am

So, You Have Remote Employees? Panel Discussion on Practical Privacy, Security and Compliance Tips

Moderator: Eric Brotten, VP Compliance & Privacy, MHS Health Wisconsin/Centene

Sarah Boswell-Healey, VP Compliance & Privacy, UnitedHealth Group Digital Health Ventures

Tricia L. Kvitrud, Senior University Legal Counsel, University of Wisconsin-Madison

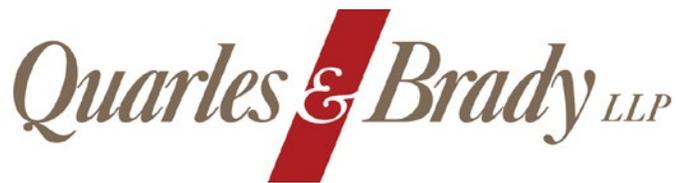
Erica Mills, Sr. Mgr. Compliance & Privacy, MHS Health Wisconsin/Centene

Even if you had remote workers before, the past few years have changed how companies in the healthcare industry need to view privacy, security, and compliance. Does your company have health fitness apps, symptom check apps, or health reward apps? How can you monitor remote employees for keeping company (and patient and member) information secure and safe? What differences should be considered if your remote workers are clinician or non-clinicians? This panel will include perspectives from local and national health insurance firms, healthcare technology, and industry legal insights.

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