Tucker Ellis LLP

Medical Privacy

Overview

Tucker Ellis offers a broad range of experience representing and counseling healthcare providers and related industries in the growing area of medical privacy compliance and litigation.

Many of our attorneys have direct healthcare and client-side experience, enabling us to provide clients a unique in-house perspective on privacy counseling, risk management, and compliance. Our attorneys have prepared compliance policies and procedures for – and consult regularly with – clients on all aspects of the privacy and security rules within the Health Insurance Portability & Accountability Act (HIPAA). We are experienced in responding to reported privacy breaches and can help clients manage the patient communications, regulatory reporting, and business remediation aspects of such events. We also regularly work with clients on HIPAA privacy issues in the workplace and their impact on group health plans, particularly in the areas of underwriting and communications with plan administrators and other vendors.

In the regulatory and enforcement areas, Tucker Ellis has represented numerous healthcare providers in Office of Civil Rights privacy investigations and breach response inquiries. These time-sensitive matters require diligence and accuracy in formulating effective and responsive materials for the regulatory bodies.

On the litigation front, our attorneys have a successful track record of representing a variety of covered entities and business associates, and we have obtained summary judgments in numerous medical privacy lawsuits dating back to HIPAA's April 2003 effective date. Notably, we were privileged to represent a major academic medical center in one of the first Ohio medical privacy lawsuits to go to trial, which resulted in a defense verdict for our client. Our experience in the privacy arena extends to both the appellate courts and the state legislature, where our Public Law group has worked on legislative initiatives.

Our attorneys have published numerous articles in legal and medical journals on the subject of medical privacy law. We are frequently invited to share our medical privacy law experience by making presentations to clients, healthcare providers, insurance industry groups, and legal organizations.

For a description of the Privacy & Data Security services we provide for other corporate and industry groups, click here.

AREAS OF EMPHASIS

- Privacy counseling, risk management, and compliance
- Preparation of HIPAA privacy and security compliance policies and procedures
- Privacy breach responses, including assistance in managing patient communications, regulatory reporting, and business remediation
- Assistance with HIPAA workplace privacy issues