

## Outline

### DAY ONE

#### OVERVIEW: PURPOSE & FRAMEWORK OF HIPAA LAW

- Determine who must comply
- Penalties
- Audits
- What to do when state and federal laws contradict
- The government's civil & criminal enforcement of HIPAA
- HIPAA transaction and code sets rule
- Payment/reimbursement
- Medicare/Medicaid fraud implications

#### HIPAA COMPLIANCE: A STEP-BY-STEP GUIDE

- Developing the HIPAA team
- Who owns the medical record; the healthcare facility or the patient?
- Lack of medical necessity
- Record retention and release rules
- Drafting policies, procedures, and consent forms
- How long are you required to retain records?
- Mandatory medical records—how your practice could be affected

#### WORKSHOP: HIPAA COMPLIANCE MANUAL

- What's required
- Assemble based on your needs

#### NEW! SECURITY RULE & STANDARDS OF HIPAA

- Determine who should have access to patient records
- Administrative, physical, technical safeguards
- Know what the bad guys are doing and protect yourself!
  - Malware
  - Ransomware
  - Evil social engineering

#### WORKSHOP: TECHNICAL STANDARDS

- What your IT department may not know
- Learn the technical standards required by NISF

#### NEW! ACA, MACRA, MEANINGFUL USE, PQRS, ICD-10, MEDICARE/MEDICAID RULES OF PARTICIPATION

#### NEW! PRIVACY RULE & STANDARDS OF HIPAA

#### NEW COVERED ENTITY: BUSINESS ASSOCIATES

- Analysis of all the rights of the patient and covered entities
- Duties and obligations of the covered entity
  - Business Associate Agreement (BAA) with vendors
  - Chain of Trust Partnership Agreements (CTPAs) for joint covered entity networks
  - Memorandums of Understanding (MOUs)

#### UPDATED MEDICAL RECORDS LAW & RULES

- Specialized records
  - Minors
  - Cancer
  - HIV/AIDS
  - Mental health
- Substance abuse
- Genetic testing
- Abortion
- Elders
- Other confidential records
  - Court records
  - Subpoenas
  - Immigration
  - Worker's compensation
  - Death records
  - Public policy releases
- Search warrants
- Qualified protective orders
- Guardianships
- Evidence admissibility
- Verdicts

### DAY TWO

#### TEXAS MEDICAL RECORDS LAW

- 4 big areas of state medical records law
  - Enhance privacy rights under state law
  - How much do you charge for copies? What do the guidelines say?
  - Record retention timelines (how long do you have to retain your medical records timelines?)
  - How long do you retain paper and/or electronic
- Duty to warn
- Statutes of limitations for malpractice claims

#### WORKSHOP: REPORTING BREACHES

- Learn the difference between secure and insecure breaches
- Low vs. high probability of compromise

#### WHISTLEBLOWERS: HOW TO PREVENT AND HOW TO MANAGE

- Audits come from disgruntled employees
- Costs/malpractice insurance

#### CLIENTS COMPLAINTS: HOW TO PREVENT AND HOW TO MANAGE

#### WORKSHOP: PROPER ANALYSIS AND RISK MANAGEMENT

- Proper Gap and Risk Analysis
- Perform and implement good practices

#### CASE STUDY: WHAT YOU CAN LEARN FROM THE BIGGEST HIPAA COURT CASES

- HIPAA Civil Complaints and Fines
- HIPAA Criminal Prosecution

#### WORKSHOP: POLICIES AND PROCEDURES

- How to select and draft
- What is required?
- What is necessary?

#### ETHICS REQUIREMENTS & CONSIDERATIONS

#### TEST YOUR KNOWLEDGE! TAKE THIS BACK TO YOUR PRACTICE

## Live Seminar Schedule

**7:30:** Registration/Morning Coffee & Tea

**8:00:** Program begins

**Lunch:** 1 hour (on your own)

**3:30:** Program ends

There will be two 15-min breaks (mid-morning & mid-afternoon). Actual lunch and break start times are at the discretion of the speaker. A more detailed schedule is available upon request.



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The  
2019 Certificate Course  
in  
HIPAA Compliance

**FEATURING:** Joe Borich III, MBA, JD, LLM, a respected expert who delivers his “do it or die” knowledge with entertaining flair

Dallas, TX  
January 28-29, 2019

San Antonio, TX  
January 30-31, 2019

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# The 2019 Certificate Course in HIPAA Compliance

**FEATURING:** Joe Borich III, MBA, JD, LLM, a respected expert who delivers his “do it or die” knowledge with entertaining flair

- Best practices to avoid criminal civil monetary penalties: The risks are on the rise!
- The latest updates! Gender identification and patient payments for reporting HIPAA violations
- 10 rules to protect against computer invaders
- The duty to report your mistakes
- Current implications: ACA, MACRA, Meaningful Use, PQRS, ICD-10
- Compliance and BAA vendor agreements
- Preparation tips for OCR audits

**BONUS:** Take home HIPAA Essentials Manual (\$300 value)

#### Dallas, TX

Monday & Tuesday  
January 28-29, 2019

#### San Antonio, TX

Wednesday & Thursday  
January 30-31, 2019



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A NON-PROFIT ORGANIZATION CONNECTING KNOWLEDGE WITH NEED SINCE 1979



HIPAA in Texas

Now that the HIPAA Compliance Deadlines have been reinforced with random audits, compliance is more important than ever before. Healthcare providers have historically struggled to comply with the unique challenges that the new rules and regulations require. Not to mention, these rules are constantly changing! Documenting your HIPAA compliance with a formal, comprehensive HIPAA Manual is now mandatory for the healthcare industry. This 2-day course will take an indepth look into the world of HIPAA to make sure your practice is covering all bases and protecting YOU as well as your patients' information. Joseph Borich, MBA, JD, LLM will engage and inspire you, to be confident in your ability to take your HIPAA compliance program to the next level and to meet government standards.

Speaker

**JOE BORICH III, MBA, JD, LLM**, has been a certified mediator, coach, consultant, author, and a practicing attorney for over 30 years. He has his own firm in Kansas City, Kansas, where he provides legal, consulting and business coaching services nationally for the healthcare industry. Throughout his legal career, Mr. Borich has worked extensively in regulatory compliance, payment reimbursement, and medical malpractice in healthcare related cases, serving as the defense attorney in the nation’s largest Medicare anti-kickback prosecution.

Mr. Borich is focused on HIPAA compliance and has extensive experience in HIPAA Risk Analysis, audits, trainings, and consulting for hospitals, medical practices, the government, insurance companies, and business associates throughout the 50 states.

He has worked for the Department of Justice, the Supreme Court, and served as an assistant attorney general stationed in New York and Washington, D.C. He uses his experience and knowledge to deliver a complete learning experience. Mr. Borich will provide the necessary analysis and focus on HIPAA and how it interacts with current state and other federal laws.

Speaker Disclosures:  
Financial: Joe Borich III is owner of Borich Healthcare Legal Consulting. He receives a speaking honorarium from PESI, Inc.  
Non-financial: Joe Borich III has no relevant non-financial relationship to disclose.

Objectives

- 1. Analyze the latest changes to HIPAA requirements and associated penalties.
- 2. Evaluate the implications of ACA, MACRA, Meaningful Use and PQRS.
- 3. Examine regulations focusing on 3 major issues in HIPAA: regulatory compliance, payment reimbursement, and medical malpractice.
- 4. Interpret the HIPAA electronic transaction and code sets rule.
- 5. Analyze the rights of the patient and covered entities.
- 6. Devise the essential duties and responsibilities for the privacy and security officers.
- 7. Determine the best course of action when state and federal laws contradict one another.
- 8. Explain the most common mistakes made when using electronic billing.
- 9. Assess how you can simplify the regulatory process and take cost-effective security measures.
- 10. Analyze implications of Medicare and Medicaid fraud, waste, and abuse.
- 11. Examine mandatory electronic medical records and billing.
- 12. Interpret ethics requirements and considerations related to HIPAA.

Who Should Attend

- HIPAA Compliance Officers
  - Quality Assurance Managers
  - Nurses
  - Counselors
  - Social Workers
- Therapists
  - Physical Therapists
  - Occupational Therapists
  - Dentists
  - Case Managers
- Chiropractors
  - Nursing Home Administrators
  - Medical Records Managers
  - Attorneys

Two Days, Five Workshops designed to take a deep dive into the complex world of HIPAA

- HIPAA Compliance Manual: What’s required, What YOU will need!
- Technical Standards: What your IT Department May Not Know
- Reporting Breaches: What is worth reporting? You’d be surprised.
- Risk Management: Perform and implement good practices
- Policies and Procedures: Select and customize for your organization

RELATED PRODUCTS [ Save by including with your seminar registration ]



**Just One Thing Card Deck**  
*52 Practices for More Happiness, Love and Wisdom*  
By Rick Hanson, Ph.D.

We are so busy these days that it’s great to have just one thing to focus on: a simple practice to reflect on and be inspired by that will gradually strengthen your neural pathways of happiness, love, and wisdom. These practices are grounded in brain science, positive psychology, and contemplative training. They’re simple and easy to do - and they produce powerful results: bringing you more joy, more fulfilling relationships, and more peace of mind and heart.

Live Seminar Continuing Education Credit Information

**Credits listed below are for full attendance at the live event only.** After attendance has been verified, pre-registered attendees will receive an email from PESI Customer Service with the subject line, "Evaluation and Certificate" within one week. This email will contain a link to complete the seminar evaluation and allow attendees to print, email or download a certificate of completion if in full attendance. For those in partial attendance (arrived late or left early), a letter of attendance is available through that link and an adjusted certificate of completion reflecting partial credit will be issued within 30 days (if your board allows). Please see "live seminar schedule" for full attendance start and end times.  
NOTE: Boards do not allow credit for breaks or lunch.

If your profession is not listed, please contact your licensing board to determine your continuing education requirements and check for reciprocal approval. For other credit inquiries not specified below, or questions on home study credit availability, please contact [cepesi@pesi.com](mailto:cepesi@pesi.com) or 800-844-8260 before the event.

Materials that are included in this course may include interventions and modalities that are beyond the authorized practice of mental health professionals. As a licensed professional, you are responsible for reviewing the scope of practice, including activities that are defined in law as beyond the boundaries of practice in accordance with and in compliance with your professions standards.

PESI, Inc. offers continuing education programs and products under the brand names PESI, PESI Healthcare, PESI Rehab and Psychotherapy Networker.

**COUNSELORS:** This intermediate activity consists of 12.5 clock hours of continuing education instruction. Credit requirements and approvals vary per state board regulations. Please save the course outline, the certificate of completion you receive from the activity and contact your state board or organization to determine specific filing requirements.

**TEXAS COUNSELORS:** PESI, Inc. has been approved as a continuing education sponsor through the Texas State Board of Examiners of Professional Counselors. Provider #: 2477. This course qualifies for 12.5 continuing education credits.

**DENTISTS:** PESI, Inc. is designated as an Approved PACE Program Provider by the Academy of General Dentistry. The formal continuing education programs of this program provider are accepted by AGD for Fellowship, Mastership and membership maintenance credit. Approval does not imply acceptance by a state or provincial board of dentistry or AGD endorsement. The current term of approval extends from 10/1/2015 to 9/30/2021. It is offered for 12.5 credit hours. Provider ID# 217543.

**NURSES/NURSE PRACTITIONERS/CLINICAL NURSE SPECIALISTS:** This activity consists of 12.5 clock hours of continuing education instruction. Credit requirements and approvals vary per state board regulations. Please save the course outline, the certificate of completion you receive from this activity and contact your state board or organization to determine specific filing requirements.

**NURSING HOME ADMINISTRATORS:** This program has been submitted (but not yet approved) for 12.5 continuing education clock hours and 12.5 participant hours from NAB/NCERS. Call our customer service department at 1-800-843-7763 for further information.

**OCCUPATIONAL THERAPISTS & OCCUPATIONAL THERAPY ASSISTANTS:** PESI, Inc. is an AOTA Approved Provider of continuing education. Provider #: 3322. Full attendance at this course qualifies for 12.5 contact hours or .6 CEUs in the Category of Domain of OT and Occupational Therapy Process. Partial credit will be issued for partial attendance. The assignment of AOTA CEUs does not imply endorsement of specific course content, products, or clinical procedures by AOTA. Course Level: Intermediate.

**PHYSICAL THERAPISTS & PHYSICAL THERAPIST ASSISTANTS:** This activity consists of 12.5 clock hours of instruction that is applicable for physical therapists. CE requirements for physical therapists vary per state/jurisdiction. Please retain the certificate of completion that you receive and use as proof of completion when required.

**TEXAS PHYSICAL THERAPISTS & PHYSICAL THERAPIST ASSISTANTS:** This activity is provided by the Texas Board of Physical Therapy Examiners Accredited Provider #2106032TX and meets continuing competence requirements for physical therapist and physical therapist assistant licensure renewal in Texas. This activity will provide 12.5 CCUs. The assignment of Texas PT CCUs does not imply endorsement of specific course content, products, or clinical procedures by TPTA or TBPT. Full attendance is required; no partial credits will be offered for partial attendance.

**SOCIAL WORKERS:** PESI, Inc. Provider #1062, is approved as a provider for social work continuing education by the Association of Social Work Boards (ASWB), [www.aswb.org](http://www.aswb.org) through the Approved Continuing Education (ACE) Program. PESI, Inc. maintains responsibility for the program. ASWB Approval Period: January 27, 2017 - January 27, 2020. Social workers should contact their regulatory board to determine course approval for continuing education credits. Social workers participating in this course will receive 12.5 (Clinical) continuing education clock hours for this Intermediate course. A certificate of attendance will be awarded at the end of the program to social workers who complete the program evaluation.

**OTHER PROFESSIONS:** This activity qualifies for 760 minutes of instructional content as required by many national, state and local licensing boards and professional organizations. Save your course outline and certificate of completion, and contact your own board or organization for specific requirements.

Questions? Call customer service at 800-844-8260

**Hassle-Free Cancellation Policy:** If you contact us before the event date, you can exchange for a DVD or CD on the subject (self-study continuing education credit may be available), a certificate to attend another seminar, or receive a tuition refund less a \$60 cancel fee. Substitutions are permitted at any time.

**Seminar on DVD or CD Package:** You can purchase a self-study package on the subject. You will receive a set of DVDs or CDs that include a digital copy of the seminar manual and post-test/evaluation. You and your colleagues can receive CE hours for a nominal fee. To determine if homestudy credits are available for your profession go to [www.pesirehab.com](http://www.pesirehab.com) or call 800-844-8260. Check with your licensing board to verify acceptance of self-study credits for license renewal. Order today by using the order form on this brochure or by calling 800-844-8260.



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2 Check location: (make copy of locations)

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**ADA NEEDS**  
We would be happy to accommodate your ADA needs; please call at least two weeks prior to the seminar date.

**WALK-INS**  
Walk-ins are welcome but admission cannot be guaranteed. Call M-F 7:00-6:00 Central Time for space availability if registering within one week of seminar.

**TUITION OPTIONS**  
• **FREE Military Tuition:** PESI, Inc. is proud to offer this seminar (at these locations only) free of charge (on live seminar tuition) for veterans and active duty military personnel. Advance registration by phone required.  
• **\$60 Tuition:** If you are interested in being our registration coordinator for both days, go to: [www.pesirehab.com/coord](http://www.pesirehab.com/coord) for availability and job description, or call our Customer Service Dept. at 800-844-8260.  
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