



# SPECIAL Alert

## In This Issue

*In this fourth issue of the McGraw Wentworth Special Alert for 2006, we will discuss a requirement of the Health Insurance Portability and Accountability Act (HIPAA) that may impact your health plan. HIPAA set forth requirements for health plans to provide a Notice of Privacy Practices in certain situations. In addition, at least once every three years employers need to remind their covered employees of the availability of the Privacy Notice. This Alert will discuss the reminder notice requirement and the best manner to provide the reminder.*

*We welcome your comments and suggestions regarding this issue of our Special Alert. For more information on this article, please contact your Account Manager or visit the McGraw Wentworth web site at [www.mcgrawwentworth.com](http://www.mcgrawwentworth.com).*

## “Privacy Notice Reminder”

HIPAA's Privacy requirements went into effect for large group health plans back on April 14, 2003, most employers were sprinting to finalize their compliance action steps. One of the key requirements was providing employees covered by the plan a Notice of the Plan's Privacy Practices. The Privacy Notice needed to be provided:

- By the initial compliance date (April 21, 2003 or April 21, 2004)
- At the time of enrollment in the plan
- Within 60 days of a material change to the notice
- Every three years the plan must provide notice of availability of the plan's privacy notice to covered employees



information to individuals whose protected health information (PHI) is used or maintained by our group health plan. If you would like a copy of our plan's Notice of Privacy Practice, it can be found on our website at ([address where notice can be accessed](#)). You may also contact ([contact name](#)) at ([contact phone number](#)) to request a copy.

The reminder notice simply advises covered employees that the Notice is available for their review. The most difficult part of this reminder is keeping track of when the notice needs to be sent out.

The reminder must be provided no less frequently than once every three years. It may make sense for health plans to include the notice of availability of the Privacy Notice with the annual open enrollment communication. This will provide the reminder more frequently than necessary but it will be a process that insures the notice reminder will be sent out when necessary. Including it annually with open enrollment materials may be an easier process than remembering to send a reminder once every three years.

If you have any questions, please contact your McGraw Wentworth Account Manager. **MW**

Hard to believe but we are approaching the end of the first three year time period for large group health plans.

Group health plans are not required to redistribute the notice in its entirety, they merely need to notify the participants of the availability of the notice. It could be done simply with a memo to all plan participants with the following message:

The ABC Company maintains a Notice of Privacy Practices that provides in-

