A complete table of contents for each chapter appears at the beginning of the chapter.

CHAPTER 1  OVERVIEW

§ 1.01  HIPAA
§ 1.02  Purpose of This Guide

CHAPTER 2  COVERED PLANS

§ 2.01  In General
§ 2.02  Group Health Plans
§ 2.03  Exempt Plans
§ 2.04  Excepted Benefits

CHAPTER 3  SPECIAL ENROLLMENT RIGHTS FOR INDIVIDUALS WHO
LOSE COVERAGE

§ 3.01  In General
§ 3.02  Special Enrollment Rights for Individuals Who Lose Other Coverage
§ 3.03  Special Enrollment Periods for Dependents
Exhibit 3-1  Job Aid for Notice of Enrollment Rights; Model Description
Exhibit 3-2  Premium Assistance Under Medicaid and the Children’s Health Insurance Program (CHIP)

CHAPTER 4  NONDISCRIMINATION RULES

§ 4.01  In General
§ 4.02  Nondiscrimination in Eligibility
§ 4.03  Nondiscrimination in Benefits
§ 4.04  Nondiscrimination in Premiums or Contributions
§ 4.05  Special Rules and Exceptions
§ 4.06  Multiemployer and Multiple-Employer Plans

CHAPTER 5  REPORTING AND DISCLOSURE REQUIREMENTS

§ 5.01  In General
§ 5.02  Notice to Employees
§ 5.03  SPD Requirements

CHAPTER 6  RULES FOR GROUP HEALTH INSURERS

§ 6.01  Guaranteed Renewability Requirements
§ 6.02  Guaranteed Availability Requirements
§ 6.03  Disclosure Requirements

CHAPTER 7  HIPAA PRIVACY AND SECURITY REQUIREMENTS

§ 7.01  Overview and Compliance Dates
§ 7.02  Covered Entities
§ 7.03  Effect of HIPAA on Fully Insured Plans
§ 7.04  Business Associates
§ 7.05 Protected Health Information
§ 7.06 Disclosure of PHI
§ 7.07 Plan Document Requirements
§ 7.08 Privacy Notice
§ 7.09 Individual’s Rights to PHI
§ 7.10 Administrative Requirements for Covered Entities to Ensure Privacy
§ 7.11 Enforcement and Penalties
§ 7.12 The Security Rule
§ 7.13 How Does the Plan Sponsor Comply—A Practical Roadmap
Exhibit 7-1 Checklist to Determine Compliance with HIPAA Privacy Rule
Exhibit 7-2 Checklist to Determine Compliance with HIPAA Security Rule

CHAPTER 7A HIPAA PRIVACY COMPLIANCE RESOURCES

§ 7A.01 Sample Business Associate Agreement
§ 7A.02 Notice of Privacy Practices

CHAPTER 7B HIPAA LEGISLATIVE AND REGULATORY DEVELOPMENTS

§ 7B.01 RFI Issued for Public Comment on the HIPAA Privacy and Security Rules
§ 7B.02 Text of RFI

CHAPTER 8 PENALTIES FOR NONCOMPLIANCE

§ 8.01 General Information
§ 8.02 IRS Penalties; Corrections and Waivers
§ 8.03 IRS Penalties; Minimum and Maximum Amounts

CHAPTER 9 HIPAA AND OTHER LAWS

§ 9.01 In General
§ 9.02 State Insurance Laws and HIPAA and ERISA Preemption
§ 9.03 Consolidated Omnibus Budget Reconciliation Act
§ 9.04 Health Flexible Spending Accounts
Exhibit 9-1 Job Aid: Life Events Compliance Checklist

CHAPTER 10 FREQUENTLY ASKED QUESTIONS

§ 10.01 HIPAA Defined
§ 10.02 Special Enrollment
§ 10.03 Nondiscrimination Requirements
§ 10.04 HIPAA and the ACA Wellness Program Requirements
§ 10.05 Applying and Enforcing Laws in Part 7 of ERISA
§ 10.06 Privacy Rules
§ 10.07 Group Health Plans
§ 10.08 Business Associates
CHAPTER 11 REGULATIONS, NOTICES, AND OTHER GOVERNMENT PUBLICATIONS

§ 11.01 Notice of Changes Under HIPAA to COBRA
§ 11.02 HIPAA Final Rules, Privacy Standards
§ 11.03 HIPAA Final Rules, Portability
§ 11.04 HIPAA Final Rules, Administrative Simplification Enforcement
§ 11.05 HIPAA Final Rules, Nondiscrimination and Wellness Benefits
§ 11.06 American Recovery and Reinvestment Act of 2009, Privacy
§ 11.07 Health Breach Notification, Proposed Rules
§ 11.08 HIPAA Proposed Rules, Privacy Under HITECH
§ 11.09 HIPAA Final Rules, Modifications to Privacy and Other Rules Under HITECH
§ 11.10 DOL Technical Release 2013-02
§ 11.11 Excepted Benefits, Proposed Rules
§ 11.12 Amendment to Excepted Benefits, Final Rules
§ 11.13 Health Reimbursement Accounts, Final Rule
§ 11.14 Extension of Timeframes Due to COVID-19 Pandemic
§ 11.15 Annual Civil Monetary Penalties Inflation Adjustment

CHAPTER 12 OTHER MAJOR HEALTH PLAN LAWS

§ 12.01 In General
§ 12.02 Consolidated Omnibus Budget Reconciliation Act
§ 12.03 Mental Health Parity Act
§ 12.04 Newborns’ and Mothers’ Health Protection Act
§ 12.05 Women’s Health and Cancer Rights Act
§ 12.06 Children’s Health Insurance Program Reauthorization Act
§ 12.07 Affordable Care Act
§ 12.08 Tax Reform Legislation
§ 12.09 Association Health Plans
§ 12.10 New Rule Expands Access to Health Insurance Coverage Through HRAs
§ 12.11 Additional Preventive Care Benefits Permitted Under HDHPs

INDEX