

Know HIPAA
Compliance
Support Services

Introduction

Benefit Comply provides comprehensive HIPAA privacy and security compliance consulting services to employers, group health plan sponsors, and Business Associates through our Know HIPAA brand. We provide a full range of compliance solutions to address the HIPAA compliance needs of all types of employers, we know how to take care of the employer, and will include the broker in the process to the extent to which they want to be involved. The experienced Know HIPAA staff has provided HIPAA consulting services to hundreds of employers and business associates nationwide.

HIPAA Consulting Staff

Bob Radecki is President of Know Benefit Compliance, LLC, a health and welfare plan compliance consulting firm located in Minneapolis, MN. Bob has over 30 years of experience in employee benefits compliance related to issues such as COBRA, HIPAA, ERISA, and Section 125. Bob has authored numerous compliance-related articles and publications, including "The HIPAA Corner" in Health Insurance Underwriter Magazine, and has been the featured speaker for health reform seminars and webinars nationwide. Prior to his tenure at Benefit Comply, Bob served in a number of compliance management and consulting roles, including founding and serving as President of A.E. Roberts Company, a nationally recognized compliance consulting and training firm; acting as HIPAA privacy consultant to a number of health insurance companies; and taking on the role of Senior Advisor of Regulatory Affairs at a major insurance organization.

Mark Major, J.D., has over 30 years' experience with employee benefit plan legal compliance as in-house ERISA counsel, as a lead U.S. compliance attorney for Mercer Consulting, and as outside legal counsel. Mark's law practice specializes in health, welfare, and retirement benefits law supporting employers, TPAs, and insurance brokers and consultants. Mark has extensive experience in fiduciary assessment and training, HIPAA privacy and security, wellness programs, eligibility audits, merger and acquisition transaction support, nondiscrimination testing, plan documents, and vendor contracts, as well as general compliance reviews and healthcare reform compliance.

Sarah Grcevich has ten years of experience in the healthcare industry, most notably in healthcare policy, compliance, and legal research. She spent several years at a Minnesota health plan focusing on policy issues related to health reform initiatives at the state and federal levels stemming from the Affordable Care Act of 2010. Before joining Benefit Comply, LLC, she served as Privacy Official for a healthcare technology start-up in Minnesota, helping to implement and manage the company's compliance program. Sarah received her bachelor's degree in political science from Carleton College in Northfield, MN.

1. **HIPAA GUARDIAN** *Consultant-Driven Compliance Project* Pg. 4
 A Know HIPAA consultant takes care of the entire process for the employer. Our consultant conducts a multi-phase project that includes performing a risk analysis, developing policy and procedures, training staff, and more to ensure that the client is in compliance with the HIPAA Privacy and Security Rules.

2. **HIPAA SHIELD PLUS** *Compliance Software Plus Unlimited Consultant Access* Pg. 7
 The employer uses our proprietary HIPAA Compliance Web Tool to fulfill their HIPAA compliance requirements on a self-service basis, but also has unlimited phone and email access to our HIPAA consultants, who will answer questions and assist in completing the process.

3. **HIPAA SHIELD** *Compliance Software* Pg. 8
 The employer drives their own process with the help of our proprietary HIPAA Compliance Web Tool, which provides all the resources they need to achieve compliance with the HIPAA Privacy and Security Rules.

Deliverables Comparison	HIPAA Guardian	HIPAA Shield Plus	HIPAA Shield
One-on-one kick-off call	✓		
Consultant-led security risk analysis	✓		
Consultant-drafted privacy and security policy creation	✓		
Consultant-led, in-depth policy review with client	✓		
Live staff training (onsite or web based)	✓		
Access to HIPAA Helpline	✓	✓	
Recorded staff training module library	✓	✓	
Sample documents (e.g. BA agreement, Notice of Privacy Practices, etc.)	✓	✓	✓
Web-based privacy and security policy templates		✓	✓
Template risk analysis		✓	✓
Explanatory Articles and resources		✓	✓
Staff training guide		✓	✓

SPECIALTY HIPAA COMPLIANCE SERVICE FOR FULLY-INSURED PLAN SPONSORS

SIMPLE HIPAA *Compliance Software*

Pg. 9

This software solution is a stripped-down compliance tool for fully-insured employers who sponsor a Health FSA. It helps the plan sponsor comply with HIPAA by creating internal policies, notifying plan participants, and authorizing vendors.



Deliverables

A Know HIPAA consultant conducts a four-phase project to ensure that the client has the necessary documentation in place to facilitate compliance with the HIPAA Privacy and Security Rules.

Phase 1: Kick-Off Call

The first phase involves a brief, 30-minute kick-off call that will provide the organization with an overview of the process and answer any of the client's upfront questions.

Phase 2: Information Gathering

The second phase involves a comprehensive information-gathering exercise to identify the organization's existing policies and procedures as they relate to HIPAA privacy and security. Know HIPAA utilizes a proprietary questionnaire for this purpose that will identify:

- Basic organizational information (contact names, addresses, phone numbers, etc.)
- Information regarding the Organization's Protected Health Information (PHI), including electronic PHI (ePHI) - where it is stored, who accesses it, and how it flows throughout the organization.
- Current privacy procedures and safeguards
- Current security procedures and safeguards
- Vendors who may have access to the organization's PHI.

The client will complete the questionnaire and return it to Know HIPAA, initiating Phase 3 of the project.

Phase 3: Privacy and Security Documents, Reviews, and Additional Forms

Know HIPAA uses the information provided in the questionnaires to complete and/or finalize three (3) draft documents:

1. HIPAA Risk Analysis
2. HIPAA Privacy Manual
3. HIPAA Security Manual

Description of Documents

Risk Analysis

The Risk Analysis utilized by Know HIPAA draws from the information contained in the Office of Civil Rights' (OCR's) online risk analysis tool. This ensures that the Risk Analysis addresses the issues that OCR has identified as critical to HIPAA security.

The Risk Analysis forms the basis for evaluating and improving the client's security program. Items in the tool are ranked by impact, likelihood, and cost to help the client prioritize its remediation efforts. The client completes the Risk Analysis as part of the initial questionnaire process. During Phase 3, the Know HIPAA Consultant will review the results of the Risk Analysis with the client and make any clarifications or modifications as necessary to complete the Risk Analysis.

HIPAA Privacy and Security Manuals

The HIPAA Privacy and Security Manuals contain template language that provides a reasonable approach to complying with the requirements of the Privacy and Security Rules. Know HIPAA will customize the Privacy and Security Manuals to reflect the client's own practices, when applicable.

Document Reviews

Know HIPAA will schedule two (2) separate reviews with the client: one for review of Privacy manual, and one for review of the Security Manual & Risk Analysis. As part of these reviews, Know HIPAA will collaborate with the client's Benefits/Human Resources contacts (for privacy) and Information Technology (IT) representatives (for security) to confirm its understanding and interpretation of the information provided by the client.

Upon completion of the reviews, Know HIPAA will incorporate any necessary changes into the documents and will submit final versions to the client.

Additional Forms

Along with copies of the finalized Risk Analysis and Privacy and Security Manuals, Know HIPAA will send the following sample forms to the client in order to help facilitate implementation HIPAA Privacy and Security Requirements:

1. Sample Business Associate Agreement
2. Sample Notice of Privacy Practices
3. Sample Access to PHI Request Form
4. Sample Account of Disclosures Log
5. Sample Amendment of PHI Request Form
6. Sample Authorization for Release of Information Form
7. Sample Complaint Form
8. Sample Complaint Tracking Form
9. Sample Confidential Communications Request Form
10. Sample List of Business Associates
11. Sample Plan Amendment
12. Sample Plan Sponsor Certification to Group Health Plan
13. Sample Restriction on Use or Disclosure of PHI Request

Phase 4: Training

Once Know HIPAA has issued final documents to the client, it will schedule a training with the client's key personnel. The training will be web-based and will cover the organization-specific policies developed in Phase 3, and how they relate to the HIPAA Privacy and Security Rules.

Continued Support

Compliance monitoring and updating is an important part of any effective compliance program. As part of this project, Know HIPAA will provide one (1) year, beginning on the date of the training, of automatic updates for the client's Privacy and Security Manuals if there are any changes to the HIPAA Privacy and Security Rules that would affect their content. After one (1) year, Know HIPAA provides a renewal service at a discounted rate.

Pricing

Standard Fees*:

Total fees for full-service consultancy support package as described above:

Retail Fee: \$8,500

*Standard Fees apply assuming none of the conditions exist to which non-standard pricing (below) would apply.

Service Add-Ons Available for Additional Fee:

- Policy renewal after 1st year: \$990/year
- Legal review and/or document drafting: \$400/hour
- Recording of webinar training: \$500
- Extra webinar training: \$1,000/session

Non-Standard Fees:

- Employers who are also Business Associates \$10,500
- Multiple employer groups or multi-employer arrangements:
Standard pricing plus \$1,500 for each separate employer; price may vary depending on complexity of arrangement.
- Employers who self-adjudicate claims: \$9,500

Other Arrangements:

On-Site Clinics or Health Care Providers

While Know HIPAA's services are not available to health care providers (e.g., on-site clinics operated by an employer), it will provide services with respect to such an employer's group health plan (according to the standard or non-standard fee schedule, as applicable).



HIPAA SHIELD PLUS

Compliance Software Plus Unlimited Consultant Access

Software Deliverables

- 1-year license for access to the HIPAA Self-Service Web Tool, which provides:
 - Template Policies and Procedures that cover HIPAA Privacy and Security requirements
 - Detailed instructions for completion
 - Library of relevant sample documents
 - Sample risk analysis
 - Unlimited technical support
- The employer uses the resources provided to create the necessary policy documents, conduct a security risk analysis, and complete various other compliance requirements.

SHIELD PLUS Enhanced Resource Deliverables

HIPAA Help Line

At any time during the 1-year standard project term, the employer can reach out to a Know HIPAA consultant with compliance questions.

Recorded Training

A HIPAA training module library is available.

Continued Support

If the HIPAA rules and regulations change, the HIPAA draft manuals and sample documents available via the tool will be updated. Clients will be automatically alerted to the changes for up to one year after the initial license purchase. After one year, a renewal option is available for a discounted fee.

Pricing

Total Fees for package as described above:

Retail

\$3,500/license per employer/plan sponsor



HIPAA SHIELD Compliance Software

Deliverables

- 1-year license for access to the HIPAA Self-Service Web Tool, which provides:
 - Template Policies and Procedures that cover HIPAA Privacy and Security requirements
 - Detailed instructions for completion
 - Library of relevant sample documents
 - Sample risk analysis
- Unlimited technical support

Continued Support

If the HIPAA rules and regulations change, the HIPAA draft manuals and sample documents available via the tool will be updated. Clients will be automatically alerted to the changes for up to one year after the initial license purchase. After one year, a renewal option is available for a discounted fee.

Pricing

Total Fees for package as described above:

Retail	\$995/license per employer/plan sponsor
--------	-----------------------------------------

Service add-ons available for an additional fee

- | | |
|---------------------------------------------------|-----------------|
| • Employer-specific webinar training | \$1,000/session |
| • Employer-specific live on-site seminar training | \$1,800/day |

Note: At any time, should an employer wish to upgrade to a Full Service Consultancy Project (described below), they will be credited 75% of the total license fees already paid for the self-service product. Employer clients will pay via credit card or PayPal. No direct billing is available for individual employer purchases.



Deliverables

- 1-year license for access to the SIMPLE HIPAA Self-Service Web Tool, which provides the resources necessary to define the plan sponsors relationship to PHI, notify employees of privacy practices, and authorize third-party vendors including:
 - Template policies and procedures
 - Template Notice of Privacy Practices
 - Template Business Associate Agreement

Pricing

Total Fees for package as described above:

Retail	\$495/license per employer/plan sponsor
--------	-----------------------------------------

Service add-ons available for an additional fee

- | | |
|---------------------------------------------------|-----------------|
| • Employer-specific webinar training | \$1,000/session |
| • Employer-specific live on-site seminar training | \$1,800/day |