

Info Blocking Workshops 1 & 2

WEBINAR

SEPT. 30, 2020 & OCT. 7, 2020

NOON – 1:30 P.M.

EDU 2064W

Fee: Member - \$49 per person

Non-member - \$99 per person

The fee covers both workshop dates and cannot be “unbundled.” There will be NO partial refunds if either workshop is not attended.

CONTINUING EDUCATION CREDITS:

Continuing Legal Education Statement:

Each workshop has been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for **1.8** hours of total CLE credit, or a potential of **3.6** hours of CLE credits if both workshops are attended. Of these, **0.0** qualify as hours of credits for ethics/professionalism, and **0.0** qualify as hours of credit toward certification in civil trial law, criminal trial law, workers compensation law/or matrimonial law.

DISCLOSURE INFORMATION: Full disclosure will be provided at the educational activity.

OVERVIEW:

NJHA has teamed up with Attorneys at Oscislowski LLC to offer two workshops to New Jersey hospitals looking to take proactive steps to revise their data sharing policies and implement other documentation required to move toward compliance with the final rules governing Information Blocking by the Nov. 1 deadline.

Each workshop is distinct (material is not repeated) and offers a 1.5-hour deep dive into applicable definitions, exceptions to otherwise prohibited information blocking practices and specific use cases and examples. A sample HIPAA policy tailored to at least one Information Blocking exception will be covered in detail during each workshop and provided to all participating registrants.

Workshop 1 will focus on healthcare providers' performance and include a deep dive into patient access and when it can be denied (i.e., preventing harm exception), as well as the nuances of the privacy exception.

Workshop 2 will focus on the Health IT and HIE/HIN angle, but from the provider's side. The second workshop will explore in detail security, IT infeasibility and Health IT performance as exceptions to information blocking. Additional details about the content that will be covered in each workshop is provided below.

Wednesday, Sept. 30 (Noon – 1:30 p.m.)

Info Blocking Workshop 1: Amending HIPAA Policies & Compliance Documentation for Information Blocking Exceptions: Patient Access & Preventing Harm; Privacy; and Content & Manner

Noon	Introduction and Overview
12:05 p.m.	Hospital as Actor under Info Blocking Rule and Applicable Penalties
12:15 p.m.	Information Blocking by Hospitals <ul style="list-style-type: none">• Interfere with, prevent or materially discouraged by healthcare providers• Discussion of specific use case examples• How to permissibly educate your patients about privacy and security risk without crossing the line into impermissible “interference with” sharing of EHI
12:30 p.m.	Preventing Harm Exception <ul style="list-style-type: none">• Organization-wide policy approach• Episode approach• Documentation requirement• Walk-through of a sample policy
12:55 p.m.	The Privacy Exception <ul style="list-style-type: none">• Organization-wise policy approach• Episode approach• Documentation requirement
1:15 p.m.	Content and Manner Exception
1:20 p.m.	Deadlines for compliance by healthcare providers
1:25 p.m.	Q&A
1:30 p.m.	Adjourn

Wednesday, Oct. 7 (Noon -1:30 pm)

Info Blocking Workshop 2: Amending HIPAA Policies & Compliance Documentation for Information Blocking Exceptions: Security; Infeasibility; and Health IT Performance

- Noon Introduction and Overview
- 12:05 p.m. Certified Health IT Vendors and HIEs/HINs as Actors Under Info Blocking Rule and Applicable Penalties
- 12:15 p.m. Information Blocking by IT Vendors HIEs/HINs
- Interfere with, prevent or materially discourage
 - Discussion of specific use case examples
- 12:30 p.m. Security” exception
- Organization-wide policy approach
 - Episode approach
 - Documentation requirements
 - ONC-recommended minimum privacy policies & procedures for third party apps
 - Walk-through of a sample policy
- 1 p.m. The Infeasibility Exception
- 1:10 p.m. The Health IT Performance Exception
- 1:15 p.m. The Health IT Fees Exception
- 1:20 p.m. Deadlines for Compliance by Certified Health IT & HIE/HIN Vendors
- 1:25 p.m. Q&A
- 1:30 p.m. Adjourn

TARGET AUDIENCE:

In-house counsel, compliance officers, privacy officers, security officers, IT.

FACULTY:

Helen Oscislawski, Esq.
Attorneys at Oscislawski

Helen Oscislawski was selected to the 2020 “Super Lawyers®” list for Health Care Law in New Jersey issued by Thomson Reuters. Her firm also was included on the “Best Law Firms” in Health Care Law, Princeton New Jersey list issued by Best Lawyers for 2018-2020. She is also a board member of the national Women Owned Law, an organization dedicated to supporting women legal entrepreneurs.

Helen is a corporate and regulatory attorney whose practice, for more than 20 years, has focused almost exclusively on advising and representing clients in the healthcare industry. She cemented her reputation as a prominent privacy and health information technology attorney through decades of developed experience and working hand-in-hand with C-suite executives and in-house counsels on how to structure and manage complex data-sharing arrangements in compliance with applicable federal and state laws. She is known to many as a “go to” attorney for legal guidance and advice on HIPAA, 42 CFR Part 2, data breach response, telehealth, as well as laws regulating the access, use and sharing of medical, health and genetic information. In 2008, New Jersey Gov. Jon Corzine appointed her to the New Jersey Health Information Technology Commission (NJHITC) to fill the seat designated by statute for “an attorney practicing in this state with demonstrated expertise in health privacy.” In 2010, Gov. Chris Christie reappointed her to Commission for another two-year term and she served as chair of the Privacy and Security Committee.

Before founding Attorneys at Oscislawski LLC, Helen was a healthcare attorney with a national law firm for almost a decade where she counseled all types of healthcare clients on a wide range of legal matters. She received her law degree from Rutgers School of Law, with honors, in 1999, and is admitted to practice in New Jersey (since 1999) and Arizona (since 2020). She completed her undergraduate degree at Rutgers University, Douglass College with highest honors in her major, and high honors overall. She was inducted into Phi Beta Kappa upon graduation.

[Click here](#) to learn more about the firm or visit her affiliated and widely popular blog and content membership site www.legalhie.com.