

G-L-B's Applicability To Health Care Organizations

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Focus

- Scope of G-L-B
- Differences in terms and applications
- Intersections and overlaps with HIPAA
- Who should care about G-L-B and why?



Who Is Covered?

- Any company “significantly engaged” in financial activities
 - Banking
 - Securities
 - Insurance (all lines)
- Odd assortment of other companies
 - Retailers who issues their own credit cards, real estate and personal property appraisers, tax preparers, automobile dealerships who lease automobiles, developers of financial software, career counselors providing advice for employees in the financial services industry and businesses that print and sell checks for consumers



Key Terms

- Affiliates/non-affiliates
- Disclosure/use
- Opt-out/opt-in
- Customers and consumers



NAIC Model

- Separate category for health information
- ERISA beneficiaries covered?
- Applies to all business units
- Tougher for insurance industry than rest of financial services?
- Health/financial distinction
- Intersections with HIPAA



What Information is Covered?

- Financial/health
- PHI
- Making sense of the distinction



Multiple Coverage Issues

For health plans

- Treatment of information
- Whose information
- Differences among lines of coverage



For health care providers

- Business complexity
- Tie with HIPAA
- Service providers



Contracting Differences

- Contracting Audiences
- Contract Options
- Contract Strategies



Security Issues

- Security under G-L-B
- Security rule for HIPAA
- Privacy and security connections



Enforcement Activity

- What lessons can be learned?
- Enforcement to date
- What does the future hold?
- Enforcement options



The New HIPAA Rules(?)

- Timing
- Contracting issues
- Non-covered products
- Health insurer compliance?

