



CHART YOUR HIPAA COURSE . . .

**HITECH Act (H.R. 1) Timeline:  
HIPAA Privacy & Security Provisions  
Date of Enactment: 2/17/09**

DATE	PROVISION THAT IS EFFECTIVE
Date of Enactment (2/17/09)	<ul style="list-style-type: none"> <li>• State AG Enforcement Effective</li> <li>• New Civil Penalty Amounts Effective</li> </ul>
60 days of Enactment (4/18/09)	Secretary to issue guidance specifying standards to qualify for "secure PHI"
180 days from Enactment (8/16/09)	<ul style="list-style-type: none"> <li>• Secretary &amp; FTC to issue interim final duty to notify regulations</li> </ul>
30 Days after Duty to Notify Regulations (9/15/09)	Duty to Notify Effective
12 Months (2/17/10)	<ul style="list-style-type: none"> <li>• Business Associate Extension Effective</li> <li>• Right to Restrict Effective</li> <li>• Right to Access Effective</li> <li>• Marketing Restrictions Effective</li> <li>• PHR Vendor Extension Effective</li> <li>• Requirement to Audit Effective</li> <li>• Fundraising Restrictions Effective</li> <li>• Minimum Necessary / Limited Data Set Default Effective</li> <li>• Secretary to issue guidance on "de-identified information"</li> </ul>

DATE	PROVISION THAT IS EFFECTIVE
18 months (8/17/10)	<ul style="list-style-type: none"><li>• Secretary to issue minimum necessary regulations</li><li>• Secretary to issue no remuneration for PHI regulations</li><li>• Secretary to issue enforcement regulations</li></ul>
1/1/11	TPO Accounting Effective for Covered Entities that acquire EHRs after 1/1/09 (Secretary may extend to 2014)
24 months (2/17/11)	<ul style="list-style-type: none"><li>• Enforcement Rules Effective (other than civil penalty amounts, which are effective on date of enactment)</li><li>• No Remuneration for Exchange of PHI Effective (6 months after final regulations)</li></ul>
3 years (2/17/12)	Secretary to issue regulations with methodology by which individuals can receive percentage of civil penalty; methodology to apply as of effective date of regulations
1/1/14	TPO Accounting Effective for Covered Entities with EHRs as of 1/1/09 (Secretary may extend to 2016)



CHART YOUR HIPAA COURSE . . .

**Want to be added to the list to receive HIPAA privacy & security updates?**

**E-mail Christy Tinnes, Groom Law Group, at [cat@groom.com](mailto:cat@groom.com).**