

# B · A · C · T · E · S

PEOPLE • PROCESS • TECHNOLOGY



We treat *every* medical record as if it were our *own*.

## Prepare for the HITECH Act Now

*New regulations demand your organization has:*

- Systems in place
- Consistency in following regulations
- Appropriate tracking and reporting tools
- Staff trained to follow guidelines

**BACTES** provides you with all of the above, while mitigating your risk and containing costs.



# The HITECH Act: Know How to Mitigate Your Risk

Some of the most urgent changes facing Health Information Management today are a result of the Health Information Technology for Economic and Clinical Health (HITECH) Act, part of the American Recovery and Reinvestment Act (ARRA) of 2009. While the legislation has been evolving for some time, implementation is now happening throughout the United States. *If you haven't already addressed the implications of the HITECH Act, it's time to take action now.*

## New HIPAA Requirements

HITECH provisions significantly expand HIPAA regulations to include mandatory data breach notifications requiring notification of both prominent media outlets and the Secretary of HHS. HITECH includes provisions that mean a covered entity may be strictly liable even where the entity had no reason to know of or foresee the breach and otherwise did nothing wrong. Patient rights have expanded and penalties have been increased. HITECH also grants individual States broad, strong new powers to collect civil penalties and attorney fees from covered entities for HIPAA violations—a change from previous lax enforcement standards by federal agencies. As a result, health care providers need new and enhanced processes to ensure compliance. *Here are just a few examples of new regulations that affect your organization:*

- HIPAA Business Associates are directly subject to HIPAA Privacy and Security requirements. **All Business Associate Agreements must be rewritten.**
- New security breach obligations for HIPAA covered entities and some non-covered entities such as vendors and business associates.
- “Minimum necessary” standard expanded to all uses and disclosures.
- New enforcement provisions authorize **States Attorney General** to enforce HIPAA requirements through injunction and damages.



Call us at 800.560.3800 or visit [www.bactes.com](http://www.bactes.com).

## What's at Stake?

The penalties for non-compliance are significant:

Tier	Minimum per violation:	Maximum per violation:
Tier A: Offenders didn't realized they violated the act.	\$100	\$25,000
Tier B: Violations due to reasonable cause, and not willful neglect	\$1,000	\$50,000
Tier C: Organizations corrected, but were due to willful neglect	\$10,000	\$250,000
Tier D: Due to willful neglect, and organization did not correct	\$50,000	\$1.5 million

## BACTES is Your Partner in Navigating the HITECH Act and Mitigating Your Risk.

- Protect your organization from costly violations.
- Achieve ongoing compliance with the highest levels of security and quality.
- Facilitate newly expanded HIPAA requirements for patient rights.
- Guard against broad new enforcement powers granted to States.
- Avoid having to notify both the media and federal government of data breaches.
- Prepare for the future with an extensive audit trail.
- Rely on a partner to guide you through the process of implementation.
- Depend on a company that has demonstrated expertise with EHR systems.
- Trust in our advanced technology for compliance, with security processes and procedures well above minimum requirements.
- Reap the benefits of electronic records vs. paper records.
- Work with a team of dedicated professionals, committed to your success.

## Trust in the BACTES Quality Difference.

Our unparalleled multi-step process protects the security and accuracy of your records. BACTES quality processes are several levels above industry standards. We have carefully developed secure, state-of-the-art technological systems to ensure quality, and we reinforce our technical systems with multiple hands-on steps from our field personnel and in-house quality department.

**Security. Trust. Reliability.**



Since 1991, our unique local owner business model has delivered unparalleled quality control and service to over 1500 medical facilities nationwide. **BACTES** continually invests in our People, Process, and Technology. We provide comprehensive, customized, and innovative services to help your organization become more profitable, productive, and secure:

- Release of Information (ROI) – Mobile, On-site or Remote
- Digital Medical Record Archiving
- On-site and Off-site EMR/EHR Scanning
- Recovery Audit Contractor (RAC) Support
- Audit Support Services
- HITECH Act Compliance Assistance

Our local owner business model gives you access to personal service in your own community from stakeholders who are uniquely invested in your success. By partnering with **BACTES**, you receive the benefits of working with friendly, experienced people, state-of-the-art technology, and processes that are based on the highest levels of security and quality.



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