

Best Practices for HR Ensuring Confidentiality of Medical Records

RECORDED ACCESS ONLY

Human resource professionals are entrusted with keeping employees medical records confidential. There are many related but different federal laws that have medical record confidentiality provisions. What is a medical record under one law may not be a medical record under another law? To fully comply one needs to be not just familiar with but proficient with the various employment laws and the need for medical records. Further state laws such as workers compensation also play a role. Further, there might be a need to share the worker's medical records.

In this webinar, we will explore the duties to safeguard records including the following

- What is a medical record that I must keep confidential
- Are employers subject to HIPAA
- What duties do I have under the FMLA to safeguard records
- Can an employee claim that he was retaliated against under the FMLA if his medical condition is disclosed to third parties
- What must be kept confidential under the ADA
- What is GINA does it apply to me and what must I not disclose
- How do I set up policies to limit medical record disclosure
- Can I disclose records for workers compensation

AREAS COVERED IN THIS WEBINAR

- When Does HIPAA Apply to Employers
- Requesting Protected Health Information (PHI)
- Safeguarding PHI
- Responsibilities for medical records under the FMLA
- Responsibilities for medical records under the ADA
- Responsibilities for medical records under GINA
- Responsibilities for medical records under workers compensation
- Putting PHI Policies in Place

WHY SHOULD YOU ATTEND

Successfully navigating through various employment laws can be difficult. It is one thing to know that employees have different rights under the Family Medical Leave Act than under the Americans with Disabilities Act. But what about the employer's duty to safeguard the confidentiality of employees medical records. Did you know that under the ADA the employer must safeguard medical records even though there is no medical diagnosis or treatment on the paper and it isn't even from a health care provider?

What are the various laws and what are the employer responsibility?
Can the employer be sued for disclosing medical information that it should have kept confidential? In this webinar, we will explore these issues and you will have a better understanding of some of these laws and the obligation to safeguard Medical information.

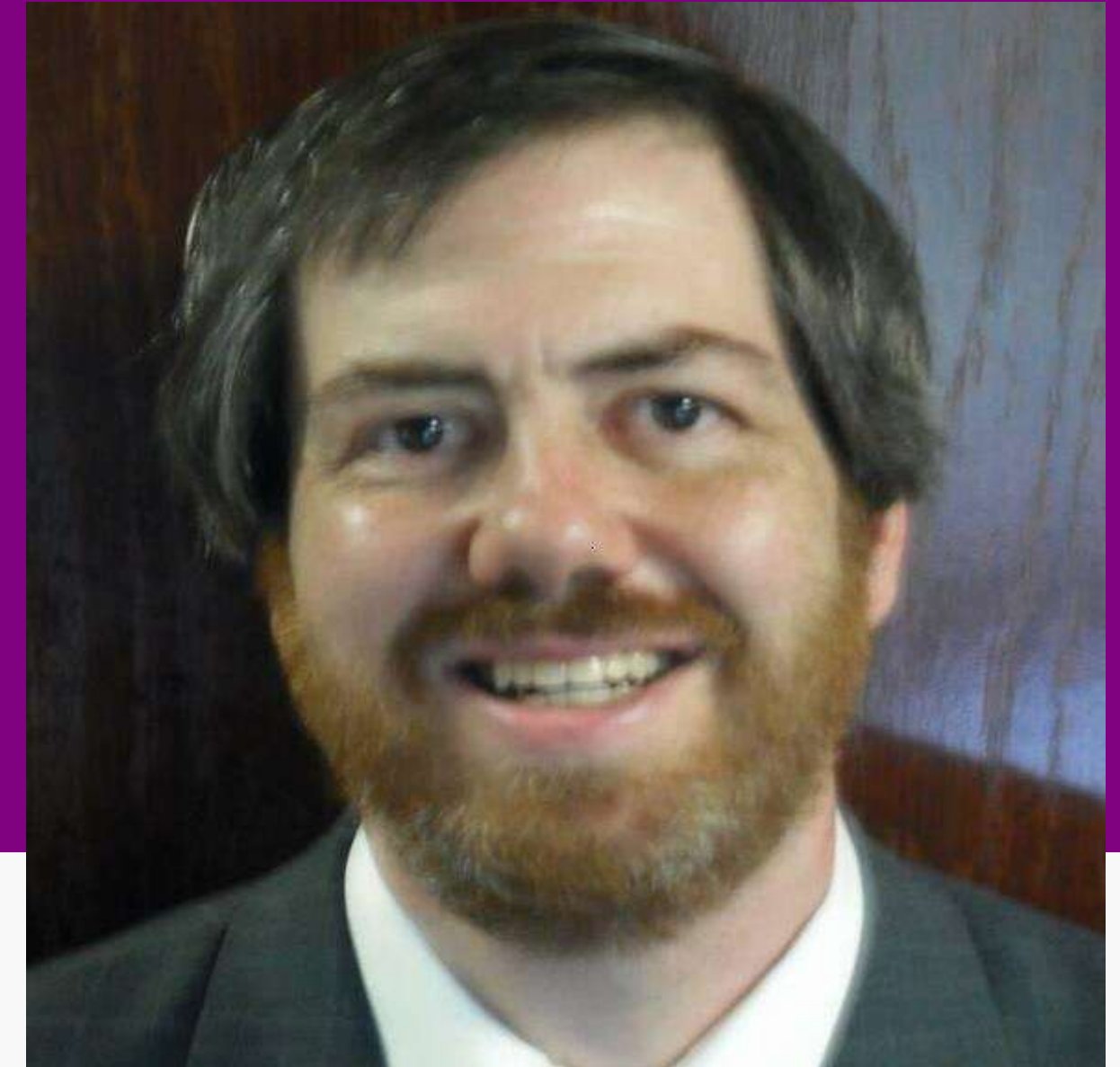


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INSTRUCTOR PROFILE

Stuart Silverman has been practicing law for almost 30 years and is the principal of the Law Offices of Stuart M. Silverman, P.A., located in Boca Raton, Florida. The emphasis of his practice is in the area of labor and employment law, and business and commercial litigation. Mr. Silverman has represented both private and public employers, as well as individual employees in a whole host of complex business disputes and employment settings at administrative levels, and state and federal trial and appellate courts. His extensive employment litigation experience includes claims under age, race, sex discrimination, wage and hour claims, whistleblower and retaliation claims, ADA and FMLA claims, public employee's claims, as well as disputes under employment contracts, non-compete agreements, trade secrets disputes, and partnership breakups. Mr. Silverman is a frequent speaker on his areas of practice.

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