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An Update From Bodman PLC

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COVID-19 & HIPAA Bulletin Limited Waiver of HIPAA Sanctions and Penalties During a Nationwide Public Health Emergency

While the HIPAA Privacy Rule is not suspended during a public health or other emergency, the Secretary of Health and Human Services may waive certain provisions of the Privacy Rule. Effective March 15, 2020, the Secretary has exercised this authority and waive sanctions and penalties against a covered hospital that does not comply with some very limited provisions of the HIPAA Privacy Rule. Note that even without a waiver, the HIPAA Privacy Rule always allows patient information to be shared for certain purposes under certain conditions. Covered entities should all remember that for most disclosures, it must make reasonable efforts to limit the information disclosed to that which is the “minimum necessary” to accomplish the purpose.

[HIPAA Bulletin](#)

If you have questions, please contact your Bodman attorney, Brandon Dalziel at **(313) 393-7507** or **bdalziel@bodmanlaw.com**, or Joe Nuyen at **(313) 392-1071** or **jnuyen@bodmanlaw.com**.