The above referenced Plan is a fully-insured group health plan sponsored by the Plan Sponsor indicated above. The Group Health Plan and the Plan Sponsor intend to comply with the requirements of 45 C.F.R § 164.530(k) so that the group health plan is not subject to most of the HIPAA privacy requirements.

Section 1: No Access to Protected Health Information (PHI) Except for Summary Health Information for Limited Purposes and Enrollment/Disenrollment Information

Neither the Plan nor the Plan Sponsor (or any member of the Plan Sponsor’s workforce) shall create or receive Protected Health Information as defined in 45 C.F.R. § 160.103 except for the following:

(a) Summary health information for purposes of obtaining premium bids or modifying, amending or terminating the Group Health Plan
(b) Enrollment and disenrollment information.
(c) Summary health information for purposes of making or accounting for FSA reimbursements (if applicable).

Section 2: Insurer for Group Health Plan Will Provide Privacy Notice

The insurer for the Group Health Plan will provide the Group Health Plan’s Notice of Privacy Practices and will satisfy the other requirements under HIPAA related to the Group Health Plan’s Protected Health Information. The Notice of Privacy Practices will notify participants of the potential disclosure of summary health information and enrollment/disenrollment information to the Group Health Plan and Plan Sponsor.

Section 3: No Intimidating or Retaliatory Acts

The Group Health Plan shall not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against individuals for exercising their rights, filing a compliant, participating in an investigation or opposing any improper practice under HIPAA. If such an action should occur by the Plan Sponsor’s employees, the action shall not be attributed to the Group Health Plan.

Section 4: No Waiver

The Group Health Plan shall not require an individual to waive his or her privacy rights under HIPAA as a condition of treatment, payment, enrollment or eligibility. If such an action should occur by one of the Plan Sponsor’s employees, the action shall not be attributed to the Group Health Plan.