

HIPAA Plan Sponsor Certification

09/2009

This Employer (the "Plan Sponsor"), the sponsor of the Employer's Group Health Plan (the "Plan"); a group health plan as defined in 45 CFR § 164.160, hereby certifies that the Plan Documents that govern the Plan have been amended to incorporate the following provisions and the Plan Sponsor shall:

- a) not use or further disclose the PHI other than the minimum necessary information as permitted or required by the Plan or as required by law;
- b) ensure that any agent, including a subcontractor, to whom it provides PHI received from the Plan agrees to the same restrictions and conditions that apply to the Plan Sponsor with respect to PHI;
- c) not use or disclose the PHI for employment-related actions and decisions or in connection with any other benefit or employee benefit plan of the Plan Sponsor;
- d) report to the Plan any use or disclosure of the information that is inconsistent with the uses or disclosures described in (a) above;
- e) make available to the Plan PHI to comply with the HIPAA right to access in accordance with 45 CFR § 164.524;
- f) make available to the Plan PHI for amendment and incorporate any amendments to PHI in accordance with 45 CFR § 164.526;
- g) make available to the Plan the information required to provide an accounting of disclosures in accordance with 45 CFR § 164.528;
- h) make its internal practices, books, and records relating to the use and disclosure of PHI received from the Plan available to the Secretary of Health and Human Services for purposes of determining compliance by the Plan with the HIPAA privacy requirements;
- i) if feasible, return or destroy all PHI received from the Plan that the Plan Sponsor still maintains in any form and retain no copies of such information when no longer needed for the purpose for which disclosure was made, except that, if such return or destruction is not feasible, limit further uses and disclosures to those purposes that make the return or destruction of the information infeasible; and
- j) Ensure that the adequate separation between Plan and Plan Sponsor (i.e., the "firewall"), required in 45 CFR § 504(f) (2)(iii), is satisfied.

Request for Detailed Reporting

- I do require a detailed funding report. I understand that by requiring this information that I am required, by law, to amend by Plan Document/Summary Plan Description and notify my employees.
- I do not require a detailed funding report. I understand that I may make this election at a future date.

Company Name

Authorized Signature

Printed Name

Title

Date

The following employees or persons under the control of the Plan Sponsor have access to employees' PHI for the purposes of our Plan Administrative functions. **Only those written in this box will be authorized. Please provide first name last name, title and email address.** (Please print)

| Name | Title | E-mail Address |
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PLEASE NOTE: It is the Employer's responsibility to notify MEBS of any change to this list as soon as the change occurs.