

A Message From Baptist Health Corporate Privacy Office



Date: December 6, 2024

To: Baptist Health South Florida Vendors acting as HIPAA Business Associates

From: Baptist Health Corporate Privacy Office

RE: HIPAA Final Privacy Rule to Support Reproductive Health Care Privacy

To Our Valued Vendors,

To the extent that your company may act as a HIPAA Business Associate of Baptist Health South Florida and any of its [affiliated entities](#) (collectively "Baptist Health") in providing services to them, we remind you that you are responsible for complying with the privacy and security regulations of the Health Insurance Portability and Accountability Act (HIPAA). Recently, the U.S. Department of Health and Human Services ("DHHS") finalized the [HIPAA Privacy Rule to Support Reproductive Health Care Privacy](#) regarding the privacy, use, and disclosure of protected health information ("PHI") related to "reproductive health care," and we want to ensure that you are aware of these changes that are effective December 23, 2024. You can find information and guidance regarding these changes on the DHHS website regarding [HIPAA and Reproductive Health](#).

The Business Associate Agreement in place between Baptist Health and your company generally requires that you refer any requests for PHI of Baptist Health patients maintained by your company to Baptist Health. To the extent that your company is legally obligated to directly respond to any legal request to produce such information, we direct you to the prohibition on certain disclosures of PHI related to reproductive health care at [45 C.F.R. § 164.502\(a\)\(5\)\(iii\)](#), the requirements in the new regulations at [45 C.F.R. § 164.509](#) regarding obtaining an appropriate attestation from requestors under the certain circumstances specified, and the [DHHS Model Attestation](#) provided to comply with this attestation requirement. We note that a disclosure that is "required by law," as the term is defined under HIPAA, may become prohibited effective December 23, 2024, if for a prohibited purpose related to reproductive health care or if you do not first receive a valid attestation where required by HIPAA.

We kindly request that you review the new requirements and attestation form as soon as possible and update your policies and procedures accordingly. If you have any questions or concerns, please do not hesitate to reach out to us at Privacy@Baptisthealth.net. Thank you for your prompt attention to this matter, and we appreciate your continued partnership in maintaining the privacy and security of our patients' information.