

The Health Insurance Portability and Accountability Act of 1996 ("HIPAA") required Business Associate Agreements with anyone handling Protected Health Information ("PHI"). More recently, the American Recovery and Reinvestment Act Of 2009, contained a section called the Health Information Technology for Economic and Clinical Health Act ("HITECH Act"). The HITECH Act significantly changed HIPAA's Rules with respect to Business Associates. Business Associates are now covered directly by the requirements of the HITECH Act and HIPAA Rules, including those regarding a breach of the Privacy Rules.

As a result of these legislative changes, if _____ is going to assist in servicing your group health plan, we are required to ask that you sign the Business Associate Agreement. This authorizes the exchange of Protected Health Information which enables us, to work on any claim issues that may arise. Please review and sign the attached. We are required to receive your response on or before February 17, 2010.