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Latest Posts

10.24.2018 [Updated Tools for Your HIPAA Toolkit: Medical Record Fees](#)

By Donn Herring

A Missouri federal court granted a motion to dismiss this week in a case against a provider and medical record processing company. In the case, a patient alleged that a "search and retrieval" fee imposed in response to a patient's request for access to medical records violated the Missouri Merchandizing Practices Act. In dismissing the claim, the court only addressed Missouri law as the allegations did not involve alleged violations of HIPAA. The outcome in this Missouri case is similar to the outcome in an unrelated Tennessee case against the same medical records company that was dismissed earlier this summer. The Tennessee case alleged multiple violations of Tennessee law relating to the fees imposed for access to medical records, using HIPAA as the standard for medical records fees. In dismissing the case, the Tennessee court found that neither HIPAA nor Tennessee law provide a private cause of action for excessive medical record fees. The Tennessee case is pending appeal.

10.17.2018 [Updated Tools for Your HIPAA Toolkit: Security Risk Assessment](#)

By Stacy Harper

In the wake of the record setting \$16 Million dollar settlement and [resolution agreement](#) with Anthem, Inc, the Office for Civil Rights (OCR) and Office of the National Coordinator for Health Information Technology (ONC) released a new version of their Security Risk Assessment tool. The new tool and recent settlement agreement renew the emphasis of OCR on the performance of HIPAA Security Risk Assessments by covered entities and their business associates.

04.30.2018 [Loosened Maximum Distance Requirements for APRNs in Missouri](#)

By Donn Herring

Effective Thursday, April 26, the Missouri Board of Registration for the Healing Arts (MBHA) and the Missouri Board of Nursing (MBN) loosened the regulatory requirements which dictate the maximum distance between the location at which an Advance Practice Registered Nurse (APRN) practices and the location at which his/her collaborating physician practices.

04.20.2018 [Ramifications for Missouri Physicians of Enhanced Mo HealthNet OPI Program](#)

By Donn Herring

Effective March 1, 2018, the Missouri Department of Social Services ("MDSS") – Mo HealthNet Division ("Mo HealthNet") began working collaboratively with the Missouri Department of Mental Health and the Missouri Department of Health and Senior Services to enhance the Mo HealthNet Opioid Prescription Intervention ("OPI") Program.

01.09.2018 [Pass Through Deduction in New Tax Bill Unlikely to Slow Trend Toward Industry Consolidation](#)

By Reed Williams, Crystal Howard

The Tax Cuts and Jobs Act of 2017 signed into law on December 22, 2017 by President Trump added a new deduction for noncorporate taxpayers (i.e. S corporations, partnerships, sole proprietorships, and trusts) who have qualified business income. This deduction, found in section 199A of the Internal Revenue Code, is also referred to as the "business pass-through income deduction."

04.01.2016 [CJR “To-Do-List”](#)

By Laura J. Bond

With the effective date for the Comprehensive Care for Joint Replacement (“CJR”) program now upon us, we wanted to take a moment to highlight key steps that affected hospitals should be pursuing if they wish to realize the benefits of – or at a minimum, avoid potential adverse consequences of – this new payment model.

03.01.2016 [A Tidal Wave of Meaningful Use Audits Hits the Midwest – 5 Steps to Take Now](#)

By Blane R. Markley, Tina M. Boschert

The Centers for Medicare and Medicaid Services (“CMS”) provided over \$20 billion in Meaningful Use incentive payments to hospitals and eligible professionals who attested to compliance with the EHR Incentive Program (the “Program”).

02.26.2016 [Providers Need to Take the “Necessary Steps” for HIPAA Compliance](#)

By Tina M. Boschert

On February 3, 2016, the U.S. Department of Health and Human Services issued a statement and released the opinion of the Administrative Law Judge who found in favor of the Office of Civil Rights (“OCR”) determining that a home health agency, Lincare, Inc. (“Lincare”) violated the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) Privacy Rule requiring Lincare, to pay \$239,800 in civil money penalties. All covered entities should review the opinion and the OCR’s comments and begin taking any and all “necessary steps” to ensure HIPAA compliance and to make certain protected health information is adequately protected.

02.11.2016 [Three Key Take-Aways from CMS’ Final Rule on Reporting and Returning Overpayments](#)

By Blane R. Markley, Laura J. Bond

In the Centers for Medicare & Medicaid Services’ (“CMS”) Reporting and Return of Overpayments Final Rule, published February 11, 2016 (“Final Rule”), CMS has clarified some outstanding questions faced by healthcare providers and suppliers who may have received overpayments from the Medicare program.

06.25.2015 [The Supreme Court Enters Decision in King v. Burwell](#)

By Blane R. Markley

This morning, the U.S. Supreme Court entered the much anticipated decision in *King v. Burwell*. In a 6-3 [decision](#), the Supreme Court held that the subsidies “are available to individuals in States that have a Federal Exchange.”

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