

LEMLE & KELLEHER, L.L.P.

MODERN MANAGEMENT

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BRIEFING SEMINAR
MARCH 4, 2010

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HIPAA—NEW NOTIFICATION
REQUIREMENTS

Lemle & Kelleher, L.L.P. presents *Modern Management Briefing*, a half-day labor and employment law seminar.

WHEN, WHERE, COST TO ATTEND

Thursday, March 4, 2010, 8:30-11:30 a.m.

Lemle & Kelleher, L.L.P.

Pan-American Life Center
6 01 Poydras Street, 21st Floor,
New Orleans, Louisiana 70130

\$15.00 per attendee

AGENDA

- 8:30 to 8:45 a.m. **Registration**
- 8:45 to 9:00 a.m. **Introduction**
Fred Preis
- 9:00 to 9:40 a.m. **Legally Using Employment Background Checks and Reports in Hiring**
Joseph Hugg
- 9:40 to 10:20 a.m. **Facing a Union Organizing Attack in 2010**
Fred Preis
- 10:20 to 10:30 a.m. **Break**
- 10:30 to 11:10 a.m. **Strengthening Your EEO Program Against Workplace Discrimination**
Eve Mastiner
- 11:10 to 11:30 a.m. **Question and Answer Session**

PRESENTERS

E. Fredrick Preis, Jr.
Eve B. Masinter
Joseph Hugg

REGISTRATION

To register please contact:

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On Feb. 22, 2010, the Health Insurance Portability and Accountability Act (“HIPAA”) will begin to enforce the new breach notification requirements.

Health plan sponsors, health care providers and their vendors need to act now to meet the new rules which were introduced by the Health Information Technology for Economic and Clinical Health Act (“HITECH”) and were enacted as part of the American Recovery and Reinvestment Act of 2009.

The rules make significant changes to HIPAA—including changes that subject various vendors directly to privacy and security requirements and require notice to individuals whose information is affected by a breach of privacy.

Health plan sponsors and health care providers should review and update HIPAA forms to comply with the HITECH, including:

- Agreements with vendors who handle individually identifiable health information (“business associates”).
- Internal policies and procedures.
- Notice of privacy practices.
- HIPAA plan amendments.

UNION MEMBERSHIP DOWN BY 771,000

Labor unions in the United States lost 771,000 members in 2009. The decline in membership, which now stands at over 15.3 million members, is due primarily to the loss of 4.2 million jobs. The private sector, which accounts for the majority of nonfarm employment, experienced a reduction of .4 percent. Union membership among government workers rose by .4 percent.

WORKSITE ENFORCEMENT CONTINUES

The Department of Homeland Security's Immigration and Customs Enforcement ("ICE") will continue its focus on worksite enforcement and targeting employers. ICE's top priority will be criminal aliens, gang members, and threats to national security. It will also continue to pursue unscrupulous employers.

MANDATORY E-VERIFY MEASURE INTRODUCED

The Bipartisan Reform of Immigration through Defining Good Enforcement ("BRIDGE") was introduced to the House on January 21, 2010. BRIDGE calls for mandatory use of E-Verify, increased border security, and a rejection of any legalization process for illegal immigrants already in the United States.

SMALL JOB CREATION BILLS BEFORE THE SENATE

Continuing with the goal to "Create Jobs as Quickly as Possible," the Senate may opt to act on several smaller job creation packages instead of acting on a larger package. These small job creation packages may include the transfer of general fund money, about \$20 billion, to boost the depleted Highway Trust Fund, which pays for road and transit work. Additionally, they may include tax credits for small businesses and an extension of the emergency unemployment insurance benefits program and COBRA. Also introduced was legislation that would reallocate \$10 billion from the Troubled Asset Relief Program to creating jobs in the private and public sectors.

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ABOUT LEMLE & KELLEHER, L.L.P.

With offices in Louisiana and Texas, Lemle & Kelleher offers responsive, innovative, and experienced legal representation covering a broad range of practice areas. For more information please visit www.lemle.com.

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