HEALTH INFORMATION TECHNOLOGY

Hall Render's IT attorneys have been providing legal and practical advice related to information technology to health systems, hospitals, provider groups and IT licensors and service providers for more than three decades. Our legal counsel is augmented by our experienced team of IT management consultants at Hall Render Advisory Services who work closely with our attorneys to provide efficient advice on various technology-related matters.

Our IT attorneys advise on countless matters, including:

- IT procurement and commercialization, including cloud computing (SaaS/IaaS/PaaS) arrangements, outsourcing and managed service arrangements, software licensing and data security aspects of medical device and other supply chain purchases, sales and distribution agreements for technology products and services and end user terms and privacy policies.

- Electronic health records ("EHRs"), including the process of selecting, acquiring and implementing EHR systems, and planning and developing programs for the provision of EHR access to community providers, including donation arrangements.

- Myriad questions regarding health care data, including data and records management, interoperability, information blocking, access rights and appropriate sharing of regulated data types, such as electronic health information, protected health information and other personally identifiable information, including dealing with health information exchanges ("HIEs"), and securing data.

- Websites, applications and virtual engagement, each of which presents novel compliance issues. Our attorneys have been working with health care providers to understand the implications of traditional health care compliance concepts in the virtual landscape, including the application of artificial intelligence ("AI") tools in health care environments.

- Intellectual property considerations relevant to our clients' technology development, delivery and procurement efforts.

- Technology-related aspects of virtual care programs, including the development of virtual care strategies and application for and management of grant-funded pilot programs.

- Advising technology companies, technology-enabled service providers and health care providers that seek to commercialize internally-developed technologies or participate in joint development arrangements.

- Development of Health Information Exchanges, Health Information Networks and other forms of data collaboration.

- Data monetization activities.

- Provision of technology services to support clinically integrated networks and improve health care provider alignment in compliance with applicable laws (Stark Law, AKS and other fraud & abuse laws).

AREAS OF FOCUS

- Cloud computing (SaaS/IaaS/PaaS)
- Health Information Exchanges
- Health Information Systems
- Health Information Technology (HIT)
- Privacy and security
- Software licensing and technical services

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- Counsel on quality reporting programs and associated contractual obligations, including EHR interoperability programs, MIPS, MACRA, DURSA, eHealth Exchange and TEFCA.
- Privacy and security matters, including the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and the Health Information Technology for Economic and Clinical Health Act ("HITECH"), as well as other state, federal and international privacy and security authorities, including 42 CFR Part 2, California Consumer Privacy Act ("CCPA"), California Privacy Rights Act ("CPRA"), the European General Data Protection Regulation ("GDPR") and Payment Card Industry Data Security Standards ("PCI-DSS").
- Technology- and data-related aspects of mergers, acquisitions and affiliations, including transition services agreements, data custodial arrangements and outsourcing arrangements.

Our Resources page contains articles, links to webinars and other materials that may be of use to individuals interested in IT-related issues.

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