

Healthy IT Contracts: HIPAA and Beyond

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Importance of HIT Agreements

- Proliferation of Software as a Services (SAAS) as a core part of most healthcare providers IT strategies.
- Health information technology (HIT) vendors represent one of the highest risk areas in an organization's cybersecurity structure.
- Understand key components and risks in evaluating and negotiating a SAAS agreement.

Vendor Due Diligence

- 63% of data breaches attributable to third party vendor
- Reputation
- Experience
- References
- History of Data Breaches/OCR Fines





- Data Security & Protection
- Limitation of Liability
- Indemnification and Hold Harmless Clauses
- Warranties and Disclaimers
- Intellectual property ownership, licenses and disputes
- Cyber Liability Insurance
- Offshore Subcontractors
- Service Levels/Performance Standards
- Service Suspension or Blockage
- Access to Data
- Data Backup and Disaster Recovery

Security/Privacy

- Compliance with international security standards
- Ask questions:
 - Where is data stored and processed?
 - How is transferred data protected?
 - Remote access?
 - Background checks and personnel screening?



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First appeared as part of the conference materials for the
2021 Health Care IT Vendor Contracts: HIPAA and Beyond session
"Health Care IT Vendor Contracts: HIPAA and Beyond"