



**COMMUNITY PHARMACY FOUNDATION
COMPLETED GRANT SYNOPSIS**

HIPAA State Preemption Analysis

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Objective

- 1) To conduct a state law survey to assist pharmacy organizations with their HIPAA compliance efforts. For each state or jurisdiction, the survey materials consist of two primary components: (1) a general survey of the applicable state privacy laws and corresponding preemption analysis, and (2) a survey of the state laws governing parent-minor issues.

Design

The state law survey and preemption analysis was developed through an external legal council and is divided into the following three parts:

- Part I is a narrative discussion of the “privacy-related” provisions in the state law.
 - Compiled through research of state statutes, regulations, attorney general opinions, legislation and regulations that have been adopted but not yet codified and state case law.
- Part II is a narrative discussion of the “information-related” provisions in the state law.
 - Compiled through state law provisions that address record-keeping and similar requirements mandated, in general, by the pharmacy practice act and pharmacy regulations in a particular state.
- Part III is a chart that includes preemption analysis and comments for each privacy-related provision, as well as a sample Notice of Privacy Practices provision addressing the required aspects of state law.
 - The chart includes the section headings for each “privacy-related” provision included in the survey document, an assessment of whether the state law is more stringent than its federal analog, brief comments supporting the assessment, and a sample Notice of Privacy Practices provision for each state law

Results

- Available on www.CommunityPharmacyFoundation.org by clicking the NACDS logo on the home page

Conclusion

The Community Pharmacy Foundation provided significant funding for the creation of this assessment. Ongoing annual updates continue through the support from other organizations.

For further information and/or materials on this grant, please visit
www.CommunityPharmacyFoundation.org and submit your inquiry through **Contact_Us**.