



COMPLIANCE NEWSLETTER

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Protecting PHI for Reproductive Services

After the overturn of Roe v. Wade, many states have passed laws that impose bans and restrictions on abortion and other reproductive services. Some of those laws provide for the prosecution of individuals that seek, obtain, or provide reproductive health care services even if those services are provided in another state where such services are legal.

HHS/Office of Civil Rights amended HIPAA to protect the lawful access to, and the privacy of, reproductive health care services. The new law prohibits the use or disclosure of protected health information (PHI) by a covered health care provider, health plan, or health care clearinghouse—or their business associate—for any of the following activities:

- To conduct a criminal, civil, or administrative investigation into or impose criminal, civil, or administrative liability on any person for the mere act of seeking, obtaining, providing, or facilitating reproductive health care, where such health care is lawful under the circumstances in which it is provided.
- The identification of any person for the purpose of conducting such investigation or imposing such liability.

Policy *CMP-PV-013 Confidentiality Related to PHI* has been revised to reflect the new legal requirements, including a new attestation form that must be completed and signed for any use or disclosure of PHI that is potentially related to reproductive health, whereby the requestor attests that the PHI will not be used for conducting a HIPAA prohibited activity.

Please contact you Group’s Compliance Officer if you have any questions.

Transgender, Gender Diverse and Intersex (TGI) Inclusive Care Act CA SB923

All HPN and affiliated Medical Group staff in California who have direct patient contact are required to take the SB923 TGI-Inclusive Care Act. A link and instructions for how to access the training is embedded in the HPN Cultural & Linguistics training module accessible through the compliance training site: <https://www.hpnaco.com/Compliance>

Note: This training was developed by Health Net in collaboration with, and facilitated by, TGI-serving organization OutCare

Required staff must complete the training by June 30th.

Key Things to Know About California SB 923

Research demonstrates that TGI people, compared with the general population, suffer from more chronic health conditions and experience higher rates of health problems related to HIV/AIDS, substance use, mental illness, and sexual and physical violence, as well as a higher prevalence and earlier onset of disabilities that can also lead to health issues.

SB 923 aims at prioritizing the delivery of TGI inclusive health care by requiring health plans and their delegated entities to provide patients with tools to find providers who provide gender affirming care, and requiring providers and staff receive evidence-based training that is relevant to TGI patient’s unique health needs.

Heritage Provider Network and Affiliated Medical Groups Compliance Officers

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**CORPORATE COMPLIANCE POLICIES
TRAINING AND RESOURCES**

To access the Compliance Plan, Code of Conduct, Policies, Training and Newsletters, please visit:
<https://www.hpnaco.com/Compliance>

**COMPLIANCE HOTLINE
(855) 625-7894**

Report Non-Compliance and Fraud Waste and Abuse. Reports may be made 24/7 using the Anonymous Compliance Hotline without fear of retaliation or intimidation