

IMPORTANT NOTICE

CONCERNING THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)



Dear Friends and Clients:

In the past year information was distributed at offices of health care professionals - physicians, dentists, HMOs and pharmacies - concerning the federal **Health Care Insurance Portability and Accountability Act** or "**HIPAA.**" This law protects the privacy of information provided to those with whom you have entrusted your health care. This is a good thing.

For years The Law Office of Eden Rose Brown has been designing comprehensive, values-based estate and legacy planning for our clients. We've considered health care an integral part of that planning. That's why we provide our clients with an Oregon Advance Directive for Health Care. In this document loved ones are named to take over the direction of health care if a client becomes unable to do so. However, **an Advance Directive signed before 2004 may be questioned and could be rejected by your health care providers** because the document lacks HIPAA privacy waivers.

Therefore, **we have drafted a new HIPAA Addendum to the Advance Directive that includes the required HIPAA waiver and release language.** This will allow family and friends named in the Advance Directive to act without question and to receive important medical information.

We have also created a new **HIPAA waiver and release to add to your Living Trust** to ensure that your Successor Trustees and Disability Panel Members can continue to access the health care information required for a private determination of your incapacity. Without this access to your physicians and medical records, the disability provisions of your trust may fail.

If your Advance Directive or Living Trust was signed before 2004, **I urge you to contact us to update your documents for HIPAA.** Your health care may depend upon it!

With warmest regards,

THE LAW OFFICE OF EDEN ROSE BROWN

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