

LAW 6232/25767— HIPAA Privacy

Course Information

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Course Title and Number: Law 6232 HIPAA Privacy

Semester: Fall 2026

Course Location and Time: Room 312, Tu 2:30-4:30 pm CST

Instructional Mode: Face-to-Face

Office Hours: Tuesday 2:00 to 2:30 or by appointment

Assistant: Naz Salehi – nsalehi2@Central.UH.EDU, 713-743-6025, Rm. 340

Course description:

This course examines the health information confidentiality regulations that promulgate one portion of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act (HIPAA), signed into law by President Clinton on August 21, 1996. The Act was amended by the Health Information Technology for Economic and Clinical Health (HITECH) Act within the American Recovery and Reinvestment Act (ARRA), signed into law by President Obama on February 17, 2009, and is codified at 45 C.F.R. §§ 164.500 through 164.534, these regulations – called the HIPAA Privacy Regulations. The final regulations published at 65 Fed. Reg. 82462 (Dec. 28, 2000) and final modifications to those regulations published at 67 Fed. Reg. 53182 (Aug. 14, 2002) as well as, more recently, final modifications implementing HITECH's mandatory changes to the HIPAA Privacy Rule published at 78 Fed. Reg. 5566 (Jan. 25, 2013) will be covered in this course, along with changes that have been introduced since publication.

This course will use a combination of lectures and class discussion and practice scenarios to help understand some of the subtleties of the rule.

Course Notes: *The UH registration system instruction mode for this course is currently listed as FF (face-to-face), but could become HB (Hybrid) in some instances by arrangement.*

Course Prerequisites: None

Satisfies Senior Upper Level Writing Requirement: *No*

Experiential Course Type: *No*

Bar Course: *No*

DistanceEd ABA: *No*

Pass-Fail Student Election: *not available*

Course Texts and Materials

There is no textbook for this course. The material will be distributed electronically in advance of each component of the course.

Download the following from the Department of Health and Human Services website:

U.S. Department of Health and Human Services
Office for Civil Rights
HIPAA Administrative Simplification
Regulation Text
45 CFR Parts 160, 162, and 164
(Unofficial Version, as amended through March 26, 2013)

Have this text available for use in class as we go through the material. The entire text is 115 pages, and we will refer to it throughout the class.

Major Cases will be discussed in the course:

- In the Matter of Miguel M. v. Barron, New York Court of Appeals 950 N.E.2d 107 (2011)
- Jaffee v. Redmond, 518 U.S. 1, 15-17, 116 S.Ct. 1923, 1931, 135 L.Ed.2d 337 (1996).
- Bradshaw v. Daniel, Tennessee Supreme Court 854 S.W.2d 865 (1993)
- Tarasoff v. Regents of the University of California, 17 Cal. 3d 425, 551 P.2d 334, 131 Cal. Rptr. 14
- Grimes v. Kennedy Krieger Institute, Inc. (366 Md.29, 782 A.2d 807)

Additional cases will be announced in class.

Learning Outcomes for this Course:

The goals of the course are to have you learn how to identify, understand, and/or apply, as appropriate, the individuals and entities that fall within the HIPAA Privacy Rule's definition of covered entities, business associates, and subcontractors; the definition of protected health information; methods for de-identifying protected health information; the level of patient permission needed before a covered entity may use or disclose protected health information for treatment, payment, health care operations, and public policy activities; the specific requirements that apply to research, marketing, and

fundraising activities, as well as the sale of protected health information; the individual rights; the heightened confidentiality requirements that apply to psychotherapy notes, genetic information, and genetic test results; the administrative requirements; the requirements relating to business associates, subcontractors, and business associate agreements; the breach notification requirements; and the HIPAA Privacy enforcement process, including the complaint process, the audit process, and possible civil and criminal penalties. After completing this course, students will have a broad overview of HIPAA privacy that may be a pre-requisite to employment at various levels and in various capacities.

Grading

Grade will be based on:

- 1) In class exercises and participation (may affect grade by 1/3 letter [B to B+ or B-])
- 2) A final examination that will be open book, i.e., material will be allowed in the exam room. No commercial outlines will be allowed, and only material distributed or created by a student, or a group of students working together will be permitted during the final exam.

Satisfies Senior Upper Level Writing Requirement: No

Attendance:

This class will take attendance and is included in the Class Participation grade. Individuals who do not meet the attendance requirement will be reported to UH Law Center administrative officials.

Course Outline:

The course will consist of 14 segments, and we will cover these in order. Some may take more time than others; some less, but will be covered in this order:

- 1) Introduction and overview and what constitute a “covered entity”
- 2) Protected health information
- 3) Uses and disclosures for treatment and payment
- 4) Uses and disclosures for Operations
- 5) Uses and disclosures allowed under public policy
- 6) Uses and disclosures where an oral agreement is allowed
- 7) Uses and disclosures that require written agreement
- 8) Heightened confidentiality protections
- 9) Research considerations that require, or that don’t require written agreement

- 10) Uses and disclosures allowed under fundraising
- 11) Business associates
- 12) Miscellaneous issues (supplemental disclosure + others)
- 13) Individual rights under HIPAA
- 14) Compliance, enforcement and penalties under HIPAA

University of Houston Required Language (Updated 3/2025)

Honor Code Acknowledgment

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

Mental Health and Wellness Resources:

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

Title IX/Sexual Misconduct:

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

Reasonable Academic Adjustments/Auxiliary Aids:

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr.

Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 am - 4:30 pm to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don't know where to start. CSAC is a "home away from home" and serves as a resource hub to help you get the resources needed to support academic and personal success. Through our Cougar Cupboard, all students can get up to 30 lbs of FREE groceries a week. Additionally, we provide 1:1 appointments to get you connected to on- and off-campus resources related to essential needs, safety and advocacy, and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow us on Instagram: @uh_CSAC and @uhcupbrd. YOU belong here.

Recording of Class:

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Resources for Online Learning:

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website (<https://uh.edu/power-on/learning/>). Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, Blackboard, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact UHOnline@uh.edu.

UH Email:

Please check and use your CougarNet email for communications related to this course. Faculty use the CougarNet email to respond to course-related inquiries such as grade queries or progress reports for reasons of FERPA. To access your CougarNet email, login to your Microsoft 365 account with your CougarNet credentials. Visit University Information Technology (UIT) for instructions on how to connect your CougarNet e-mail on a mobile device.

Webcams:

Access to a webcam is required for students participating remotely in this course. Webcams must be turned on (state when webcams are required to be on and the academic basis for requiring them to be on). (Example: Webcams must be turned on during exams to ensure the academic integrity of exam administration.)

Security Escorts and Cougar Ride:

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called "Cougar Ride" that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

Online Exams and Proctoring:

- (1) students are permitted to take their online tests or quizzes in a computer lab or other available space;
- (2) students need to be aware if you are using online proctoring software, and the student should consequently choose an environment with as little background noise and additional movement as possible to avoid the software flagging their exam for potential academic dishonesty; and
- (3) there is no requirement that a student use their own personal computer or that they complete exams and quizzes in any specific location (e.g., their home).

Syllabus Changes:

Please note that the instructor may need to make modifications to the course syllabus. Notice of such changes will be announced as quickly as possible through Canvas and Teams.