

PRESBYTERIAN HEALTHCARE SERVICES

HIPAA Preemption Analysis

The Health Insurance Portability and Accountability Act ("HIPAA") requires a detailed comparison of the provisions of HIPAA and state law in order to identify those state laws that are contrary to the HIPAA requirements. This comparison is known as a HIPAA Preemption Analysis.

Attached is a HIPAA Preemption Analysis of New Mexico law commissioned by Presbyterian Healthcare Services and prepared by Diane Fisher, Esq. Presbyterian Healthcare Services has adopted and is currently using the attached Preemption Analysis and has elected to share the analysis with the New Mexico Coalition of Healthcare Information Leadership Initiatives (NM CHILI) for publication on their website for statewide use.

Both Presbyterian Healthcare Services and the author of the Preemption Analysis recommend that you consult with legal counsel regarding the HIPAA Preemption Analysis before attempting to use the same. This document is presented for your review without any representation as to its accuracy.