Modern Compliance Solutions

HIPAAOne®
PROTECT YOUR ePHI

Capability Statement

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COMPANY BACKGROUND

Modern Compliance Solutions LLC was started with the vision of helping the Healthcare Community adopt better security in their patient care. This will help drive more revenue and reduce costs by utilizing HIPAA solutions that are simple, automated and affordable.

We understand your fears of being unprepared for immanent OCR investigations resulting in time-consuming responses, heavy fines and embarrassing public disclosure. A HIPAA Security assessment will provide an organization reassurance that when all audit recommendations have been resolved, the organization will be compliant with the HIPAA requirements.

Through our onsite **HIPAA Security Risk Analysis** products and services OR our newly developed HIPAA One solution, we take the complexity and mystery out of HIPAA Security Risk Management allowing you to focus on what matters most:

- reducing risk,
- improving profits
- increasing operational maturity

The key strategy to avoid a HIPAA audit is to understand the rules and follow NIST methodologies. HIPAA One analyzes your compliance with HIPAA standards and your security safeguards against threats. Using HIPAA One can dramatically decrease your chance of an audit. However, if you are subject to an audit despite your precautions, HIPAA One provides valuable information in your defense:

This document is designed to help you understand our software capabilities, adherence to HIPAA Security laws and our deployment options.

HEALTHCARE COMPLIANCE CAPABILITIES

There are many business elements that must be considered for a successful HIPAA Security Risk Analysis. The following sections outline some of these key capabilities.

Reducing Costs

Being proactive pays; Designed for healthcare, the HIPAA One solution slices weeks of labor-hours out of the budget by automating risk computations and providing downloadable reporting anytime, anywhere.

The likelihood of being audited in response to a patient complaint or self-reported breach is assured: the OCR is required to investigate every case. For pennies on the dollar, it pays to be preventative and proactive while improving the maturity of your organization's policies, procedures and processes using a HIPAA Security Risk Management Platform.

Ease of Use

Designed from the ground-up for Healthcare, HIPAA One emulates paper-based thinking and aesthetics. The clean, concise and bright interface is minimalistic ensuring focus is on getting work done. HIPAA One is designed to minimize keystrokes and mouse-clicks and eliminate the mystery behind HIPAA Security.

Synergizing the rules, onsite experience, and a mature SaaS platform, allows quick updates based on current regulations, end-user feedback, and breach-data as shown below:

Roots of HIPAA One

| CFRs, Security Rule & Audit Protocol | Onsite SRA Experience – "in the trenches" | Mature SAAS Platform |

Constant improvements and updates

Simple. Automated. Affordable.

The HIPAA One solution uses the latest techniques to allow users to conduct a self-assessment or use onsite services providing guidance and completion. All you need is Executive sponsorship, a web browser, internet connection and a little bit of time to step through the process. If you need some assistance, we are available to coach you through the process.

Scalability

HIPAA One provides an environment where many concurrent users can use the system simultaneously. The transactional and user environments can experience unlimited growth by just adding hardware services. The HIPAA One tool is designed to scale managing risk for single clinics to large Hospitals through our powerful Template functionality (see page 9). Set up takes only minutes!

OCR Audit Program Protocol Standards and HIPAA Compliance

HIPAA One Covers the following HIPAA and Audit Program Protocol Standards:

- 78 HIPAA Security Standards
- CFR 164.300-series Federal Laws

HIPAA One's "one-click" reporting has been used in OCR investigations, is designed for Healthcare compliance and can be achieved in "Self-assessment" or "Auditor" mode.

National Institute for Standards and Technology (NIST) compliance

Health and Human Services (HHS) regulations state practices must execute "reasonable and appropriate" steps to ensure compliance with HIPAA laws. HHS endorses the research and methodologies of NIST, which is the "suggested" methodology for conducting a Security Risk Analysis. This NIST methodology described in Special Publications SP800-30 and SP800-66 are used as the dominant methodology in the HIPAA One workflow.

Electronic Signature Regulations (ESIGN and UETA) Compliance

Signatures are a required part of the Security Risk Analysis process. We have capitalized on more than a decade of E-Signature technology to present a legally binding experience that includes electronic signatures. The signatures, the private data, logs and much more are all securely contained in our patented system that ensures data privacy and protection. The signature experience is simple and only requires a mouse click.

Other Regulations

Protecting hospital information and controlling the workflow experience is just one of the many benefits of the HIPAA One offering. The underlying platform was specifically designed to ensure that requirements for laws and acts: TPA, Gramm-Leach-Bliley Act, FACTA, FDCPA, Sarbanes-Oxley Act, E-Government Act, USA Patriot Act, and UCC can be delivered.

Data Privacy and Ownership

Transaction information represents all information that is pertinent to a transaction including document information, signatures, workflow elements, audit logs and party information. This information is stored in a different location from the registration information and is only available through several levels of encryption. This information is also stored with a tamper-proof seal. You own all the data.

Support/Training

Modern Compliance Solutions provides on-site training as needed by customers on a time and material basis. We also offer a variety of webinars to help you successfully navigate through areas you may not understand.

The Modern Compliance Solutions call center is available to help customers with HIPAA Security and application-level questions from 8:00 a.m. – 5:00 p.m. Mountain, Monday through Friday.

Policies and Procedures

The arena of HIPAA Security Policies and Procedures are unique to each clinic and their respective workflow. HIPAA One makes suggested security policies and procedures available using:

- ✓ Existing best practices from legal and compliance firms
- ✓ Existing OCR and REC libraries
- ✓ Recent OCR breach investigations (i.e. Hospice of North Idaho) and personal interviews with their staff regarding lessons learned
- ✓ Business Associate Agreements (BAA)
- ✓ Pragmatic feedback from our clients

Business Continuity and Disaster Recovery

HIPAA One was architected to operate non-stop in the cloud 24/7/365. Our data center service level agreements can maintain an uptime of at least 99.99 percent of the time. Real-time backup of all information is handled included with the service.

Software Specifications

What are some of the key elements of the application-level?:

Self-Assessment or Audit Mode

HIPAA One can be used in Self-Assessment Mode (you do it yourself including ongoing updates), or Audit Mode (we go onsite and provide guidance, executive briefing and a completed Security Risk Analysis for you). Deployed to handle one or thousands of associated clinics/locations, HIPAA One features:

Self-Assessment Mode – Self assessment mode has one person (sponsor) filling out all the questions, inventory, remediation planning and finalizing the report. The sponsor can then extend access to others in the organization to view, take ownership and update remediation tasks into the completed HIPAA Security Risk Analysis.

Audit Mode - One Auditor can create assessments and assign to specific consultants. The consultants schedule meetings, conduct questions, gather information, remediation planning then have to request Auditor approval for completion at 2 key points in the assessment. The Auditor, Consultant and Sponsor are all asked to review and E-Sign the final report for completion. This ensures adherence to quality and consistency needed to help ensure a complete HIPAA SRA is performed no matter how many staff are conducting it.

Template function – For larger organizations that have many remote sites with non-Hospital based providers, the HIPAA One template function auto-populates most of the questions based on the Organization's Risk Analysis data. This allows a consistent and precise measure of a per-site's risk/compliance profile and per-site updates to be captured, remediated and measured.

Sample Security Policies and Procedures – We include Security Policy and Procedure templates to help clinics get started down the road of quickly adopting better security through awareness, training and policy.

Automated Risk Analysis and Remediation Planning - Risk is calculated based on the threats facing the organization. This threat database is

updated reflecting relevant threats and threat agents. Based on the results, likelihood and business impact are assigned values then risk is calculated using the NIST 800-30 and 3x3 risk matrix – all at the click of a button. Risks are quantified, sorted and associated step-by-step planning matrix generated for review, edit and acceptance.

Reflexive Question Engine (RQE) - The HIPAA One Reflexive Question Engine (RQE) distills the process to a minimum needed to meet legal requirements. And this platform may be effectively utilized by seasoned security professionals or those with little or no security experience.

HIPAA Regulations Adaptability – The application level is where all the business rules are captured along with the process workflow. When rules change, it is a matter of minutes or hours to make changes and roll out a new version to all users.

Open Integrated Development Environment (IDE) – Applications today must be constructed with the ability to be very agile based on business, market and regulatory conditions. ContractPal is open architected so that empowered developers and business users can lift the hood up and do work without compromising and of the protective benefits previously mentioned in this document. The IDE opens a developer up to millions and millions of battle-tested code that can be quickly pulled together using more than 2,000 high-level APIs. The end result being very simple and quick application development cycles and almost eliminated maintenance headaches. The skill sets necessary to tap into this value is JavaScript, HTML and CSS. Everything else is provided by the IDE.

Document management and reporting – The report is designed for "one-click" responses to OCR audit requests following NIST guidelines for formatting. Documents used both during the Analysis and updated since then are available within the HIPAA One portal. Documentation is retained and could be imported in the following year's Risk Analysis for any updates in regulations or your environment.

Template functionality - Assessing many locations using manual spreadsheets and other HIPAA tools can result in time wasted on redundant data entry points and introduces opportunities for errors.

HIPAA One provides a powerful Template feature allowing pre-entry of organizational controls. This provides up 90% efficiency and detailed dash boarding of tens, hundreds of thousands of remote locations.

Language – HIPAA One assessment questions and workflow instructions are written for Healthcare staff to be "clear and simple". This provides a unique opportunity for use by seasoned experts and internal Clinic staff alike.

Updates and Downloadable HIPAA Reporting – The completed HIPAA Risk Analysis is simply a "snapshot" in an ongoing Risk Management effort. HIPAA One allows ongoing Risk Management through unlimited post-assessment updates and PDF downloads. Post-assessment updates are provided through the HIPAA One portal tracking progress while automatically updating the main report; giving you instant, anytime access to current progress.

TECHNICAL CAPABILITIES

In today's world, not just any software can deliver on a great user experience while maintaining compliance with business rules and regulatory requirements. It takes a best-in-class technological framework to successfully deliver everything. The following sections briefly outline some of these key capabilities.

Deployment

At Modern Compliance Solutions, we partnered with the technology platform company ContractPal, who has spent over a decade building and deploying state-of-the-art technological platform and application capabilities for Fortune 50 companies. Their extensive experience has opened the door for Modern Compliance Solutions to take its core regulatory content expertise and match it up with ContractPal's E-Sign technology and expertise using HIPAA One.

Our platform requires from you no hardware, software, regulatory/technical updates, and/or security management - and it's scalable. Feature functionality enhancements and security updates are centrally rolled out at least 6 times a year to keep up to date with changing HIPAA regulations and the following:

Security – is a top concern at Modern Compliance Solutions. That's why we chose ContractPal. Security is their top concern and business. Our Tier-3 data centers and cloud providers meet SSAE16 standards for physical and network operations. We perform regular external security scans on all installations with corrective actions protocols in place to immediately address any potential issues.

Integration Flexibility –The HIPAA One platform is provided with an expansive library of web-service APIs and connectors. The ability to securely transmit and receive information during a workflow process is a requirement. HIPAA One's platform can be configured with real-time connections to other systems or 3rd party data providers with ease.

Audit and Documentation Security – HIPAA One's patented platform system can show when and if a transaction has been tampered with throughout the life of the transaction. Auditing information can easily be retrieved from the system with users that have rights and privileges to do so, including regulators.

Localization – The HIPAA One platform can provide localization so that applicable HIPAA State laws are addressed and language barriers eliminated.

Ongoing Risk Management Plan – Ongoing security updates are logged and automatically updated into the final report. Post-analysis updates addressing risks are prioritized and accessed through HIPAA One's "Reviewer" functionality. This allows users to continually update the Risk Analysis throughout the year while the platform dynamically updates the downloadable-report and documentation.

User Authentication and Control – The platform manages all user access and control. Different authentication methods can be used to authenticate users ranging from standard round robin email authentication methods to biometric / out of wallet / data bureau technologies.

Communication – Many techniques are incorporated into the platform to allow workflow from a transactional experience to communicate with users including email, SMS texting, and eFaxing.

The Billing Engine

The Modern Compliance Solution takes advantage of the ContractPal billing engine that automates how payment is taken, processed and tracked. Customers can pay for transactions using either credit cards or PayPal. Dashboards are available for enterprise customers so you can view monthly statements, transaction history and more.

Conclusion

Keeping up to date with regulations, maintaining hardware/software, saving costs and proactively reducing risk is an expensive and daunting process. HIPAA One synergizes the workflow, resources, expertise and platform offering the complete HIPAA Security Risk Management solution in one simple solution for clinics and Hospitals of all sizes.