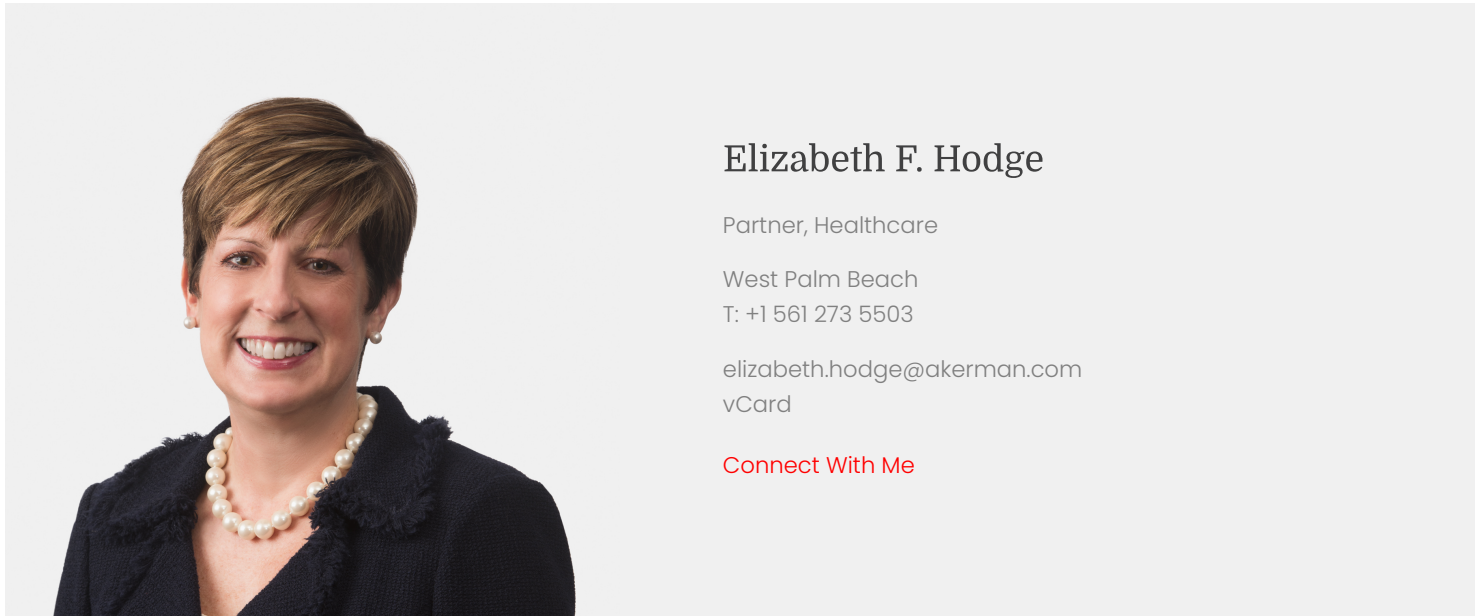


People



## Elizabeth F. Hodge

Partner, Healthcare

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A former president of the Florida Academy of Healthcare Attorneys, Betsy Hodge concentrates her practice on compliance and regulatory issues affecting healthcare providers, payers, and employer-sponsored health plans.

Betsy has significant experience with HIPAA and the HITECH Act and assists covered entities and business associates in complying with these laws through the development of policies and procedures, workforce training, analysis of data incidents and notification of breaches, and assisting with government audits and investigations. Betsy also advises clients regarding compliance with a range of other federal and state privacy and data security laws and associated transactional issues. Her work in this area ranges from preparing and negotiating the data security aspects of contracts, to drafting privacy policies and notices, to assisting clients with implementing a comprehensive privacy program designed to meet applicable legal requirements.

In addition, she counsels her clients on regulatory issues, including state and federal fraud and abuse laws.

A frequent speaker and author on developing issues in healthcare law, Betsy is a member of the Florida Hospital Association's HIPAA Preemption Analysis Task Force.

### Notable Work

**HIPAA Compliance Program:** Represented client in developing a comprehensive HIPAA compliance program for three health plans sponsored by the client and for medical and behavioral health clinics operated by the client. This project required consideration of HIPAA, federal privacy laws governing substance abuse treatment records, relevant ERISA law, and state patient privacy laws.

**Desk Audit:** Represented health care provider in responding to Office for Civil Rights HIPAA desk audit, including implementing improvements to existing policies and procedures.

### Areas of Experience

Healthcare  
Data Privacy and Security  
Healthcare Fraud and Abuse  
Healthcare Licensure and Compliance  
Hospitals and Health Systems  
Information Governance  
Physician Transactions and Health Ventures  
Health and Life Sciences  
Insurance Fraud  
Taxation in Indian Country  
Staffing Law

### Education

J.D., Washington and Lee University School of Law, 1998  
B.A., Duke University, Economics, 1985

### Admissions

#### Bars

Florida

#### Courts

U.S. District Court, Middle District of Florida  
U.S. District Court, Northern District of Florida

### Related Content

Elizabeth Hodge to Speak on Legal Strategies for AMCs, Physicians, and Hospitals  
February 06, 2024

OCR Will Focus on You if You Don't Focus on Cybersecurity  
December 21, 2023

The Akerman Angle: Health Law Rx Podcast—Health Data Privacy and the Use of Online Tracking Technologies—Recent Developments  
September 29, 2023

**Data Breach:** Represented health plan client in responding to a data breach involving the inadvertent disclosure of PHI of over 7000 plan members by a business associate. Also assisted the client in responding to the ensuing Office for Civil Rights investigation of the breach which ultimately resulted in the OCR taking no action against the client.

**Data Breach:** Assisted a manufacturing company with operations in the U.S. and two other countries in responding to a ransomware attack, including coordinating with consultants on incident response and restoration of operations. Also worked collaboratively with the client's legal counsel in other countries where operations were affected to ensure all required notifications were timely provided.

## Published Work and Lectures

- [Health Law Rx Blog, Contributor](#)
- AHLA, 2024 Advising Providers: Legal Strategies for AMCs, Physicians, and Hospitals, Speaker, "There's No Place Like Home: Remote Patient Monitoring to Help Dorothy Stay in Kansas while Avoiding the Twister of Regulatory Risks and Bringing Technicolor to the Possibilities of RPM and RTM," February 6, 2024
- AHLA, Physicians and Hospitals Law Institute Conference, Co-Speaker, "Is Your Health Data Sloshing Out of the Privacy Bowl? Preventing PHI Spills and Other Data Misuse," January 31, 2023
- AHLA, Podcast, Speaker, AHLA's Speaking of Health Law - Patient Cyber Harm: Strategies and Tips for Prevention, Preparation, Risk Management, and Transparency, January 17, 2023
- AHLA, Webinar, Moderator, "Perspectives on Information Blocking - Provider, Developer, and Health Information Exchange," December 15, 2022
- Thompson Reuters West LegalEdcenter, Webinar, Speaker, "The Evolving Challenges of Providing Healthcare in a Post-*Dobbs* America," December 8, 2022
- Florida Bar Health Law Section, Health Care Regulatory & Compliance Webinar, Speaker, "Health Privacy - What's New in 2022 and Beyond," November 4, 2022
- AHLA, *Health Law Connections Magazine*, Author, "Patient Cyber Harm: Strategies and Tips for Prevention, Preparation, Risk Management, and Transparency," August 1, 2022
- AHLA, Moderator, "Genetic Information Privacy: The Evolving Legal Landscape," June 2, 2022
- AHLA, Health Care Data: Navigating Legal and Operational Challenges program, Presenter, "Preventing CyberHarm to Patients: Risk Management," April 13, 2022
- *Employee Benefit Plan Review*, Co-Author, "Group Health Plan Sponsors Are Getting Serious About Pricing Transparency and Avoiding Surprise Billing – Are You Keeping Up with the Latest Guidance and Phased Enforcement Deadlines?" Volume 75, No. 9, November 2021
- Pratt's Privacy & Cybersecurity Law Report, Co-Author, "Recent Cybersecurity and Ransomware Guidance That Every Business Should Be Reviewing," Volume 7, No. 8, October 2021
- *Intellectual Property & Technology Law Journal*, Co-Author, "New York State's New Cyber Insurance Risk Framework," May 2021
- IAPP Jacksonville Knowledge Net, Co-Presenter, "COVID-19 Isn't the Only Virus You Have to Worry About... Privacy and Cybersecurity Perspectives During the Pandemic," October 22, 2020

- *ABA Health eSource*, Author, “Office for Civil Rights COVID-19 Updates on HIPAA and Anti-Discrimination Laws,” April 13, 2020
- AHLA, Physicians and Hospitals Law Institute Conference, “They’re Here – Exorcising Intruders in Your Connected Devices,” February 10, 2020
- AHLA, Journal of Health & Life Sciences Law, Co-Author, “Securing Connected Devices in Health Care: Taking Proactive Action,” June 2019
- AHLA, PG Bulletin, Author, “The FDA Steps Up Efforts to Address Medical Device Cybersecurity,” December 6, 2018
- AHLA, Health Information and Technology Practice Group Member Briefing, Co-Editor, “Connected Devices in Health Care,” November 2018
- Elizabeth Hodge Quoted in *Healthcare Info Security*, “Health Data Breaches Lead to \$2 Million California Penalty,” November 27, 2017
- Florida Hospital Association Compliance Education Retreat, Co-presenter, “Liability Arising from the Internet of Things,” June 8, 2017
- Florida Hospital Association Compliance Education Retreat, Moderator, “2016: The Year of Living Dangerously (and How Hospitals Can Reduce Their Cybersecurity Risk),” June 16, 2016
- Florida Hospital Association, “HIPAA Requirements and Florida Law: Disclosures of Protected Health Information for Law Enforcement Purposes,” February 2016
- Akerman Data Law Seminar, Moderator, “Are You Insecure About Cybersecurity?” November 17, 2015
- *Health Information Compliance Alert*, Quoted, “Follow 5 Crucial Steps to Prevent BA Agreement Hazards,” May 2016, Vol. 16, No. 5 (Pages 33-40)
- FHA Compliance Retreat, Co-Presenter, “Hot Topics in Privacy and Security,” June 18, 2015
- Health Care Compliance Association (HCCA), 19th Annual Compliance Institute, Co-Presenter, “Managing Your Vendors in the 21st Century: Trust, but Verify,” April 2015
- HFMA Florida Chapter Regional Event, Speaker, “HIPAA & Data Privacy Enforcement Activities,” February 25, 2015
- Medical Claims Defense Network, Inc. Spring Seminar, Co-Presenter, “Untangling the Web: Applying Florida’s Self-Referral Statutes and Disclosure Requirements to PIP & BI Claims,” April 16, 2014
- American Association of Orthopaedic Executives, Co-Speaker, Webinar, “Don’t Let Compliance Keep You Up at Night! Maximize Your Time & Effort with These Tips & Tools,” March 6, 2014
- *Law360*, Author, “11th Circuit Issues Cautionary Opinion for Transactional Lawyers,” March 28, 2013
- *Law360*, Co-Author, “Assessing Key Provisions of ACA Implementation,” January 15, 2013

## Affiliations

- American Health Law Association, Chair, Health Information and Technology Practice Group (July 2023 – 2025)
- American Health Law Association, Vice-Chair of Education and Interim Co-Chair, Health Information and Technology Practice Group (July 2022 – June 2023)
- American Health Law Association, Chair, Privacy and Security Risk, Compliance and Enforcement Affinity Group of the Health Information Technology Practice Group (2019 – 2022)

- American Health Law Association, Vice-Chair of Publications, Privacy and Security Risk, Compliance and Enforcement Affinity Group of the Health Information Technology Practice Group (2017 – 2019)
- Attorney Liaison to Florida Healthcare Corporate Compliance Association
- Florida Hospital Association HIPAA Preemption Analysis Task Force, Member
- American Health Law Association, Member; Health Information & Technology Leadership Development Program, July 2016 - July 2017
- The Florida Bar, Healthcare Section, Member
- Leadership Tampa Bay, Class of 2013, Graduate
- Florida Hospital Association, Member

## Honors and Distinctions

- *The Best Lawyers in America*, 2020-2024, Listed in Florida for Health Care Law
- *Daily Business Review*, 2023, Professional Excellence Awards, Named a “Distinguished Leader”