

Political Implications of HIPPA

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The Health Insurance Portability and Accountability, also known as HIPPA, has become a national standard in regulation for protecting health data information in the United States. While often discussed in terms of privacy or sectors of the healthcare industry, HIPPA also carries large political implications. Since its' passing in 1996, congress and policy makers have used this act as a foundational baseline for broad debates such as government oversight, privacy rights, and examining the balance between business efficiency and consumer protections. By examining the political impacts that HIPPA as brought we can further understand how it has shaped US Cybersecurity policy, and now it continues to share a new meeting with societal and technological progress.

HIPPA was passed as a bipartisan effort during the Clinton Administration in 1996. Both Republicans and Democrats believe and recognized the political ideal of making health insurance "portable" by establishing a baseline for data protection. With the Internet boom and the world wide web entering the mainstream in consumer homes and businesses this was a large factor that led to the act being enacted. Democrats believed that HIPPA was a step in the right direction to patient and consumer protections, while Republicans believed that HIPPA would decrease company inefficiencies and would help with modernizing healthcare systems. Due to this political consensus this allowed HIPPA to pass with broad support, but also established the precedent that health privacy would become a politically contested issues as technology advances. (Annas, 2003)

Fast forward into the 21st century the next major political movement was the health information Technology for Economic and Clinical Health Act (HITECH) enacted by the Obama Administration in 2009. HITECH was an act that expanded upon HIPPA by forcing companies to notify if a breach has been made to consumer data and involving a further push for institutions to

adopt electronic health records. Democrats were majority in favor this expansion as it would modernize patient data protection further, while Republicans were less in the favor of this push. This was due to Republicans expressing concerns that heavier burdens would be placed on companies and institutions. The law passed as part of the broader American Recovery and Reinvestment Act, reflecting the political momentum around digital transformation in healthcare. (Gostin, Hodge, & Valentine, 2008) This meant the political implications were now clear that HIPPA has become a platform for allowing the federal government power to set the rules. This generally does not sit well with Republicans, because they generally believe the power should be given to the states to set these regulations.

Now we move on to today and more recent events. HIPPA is back on the spotlight for the handling of Covid-19 pandemic and the post world with an overturned Roe V. Wade. During the pandemic it was often contested over hot topics such as contact tracing, social distance, vaccine documentation, and Telehealth expansions (Cohen, Mello, & Gostin 2020). Federal agencies enforced strict measures and allowed companies waivers which would later lead to political tensions over the priorities of public health and individual privacy rights. Next with the overturn of Roe in 2022 this brought HIPPA back into the light again as now it up to the states to decide rather abortions were allowed verses on the federal level where everyone as equal opportunity. This became an issue because of people's private data and how it was being used and how federal and local governments would need to coordinate.

Moving outside of the United States, HIPPA has had major political ideals to other major regions of the world. The European Union for example as created their own called the European union General Data Protection and Regulation (GDPR). This act is more in depth than HIPPA but still follows the general guidelines and approach the United States uses. The European Union has

pushed for universal protections by highlighting political and philosophical and how individual rights are weighted against corporate and government interests. (Greenleaf, 2018)

In Conclusion HIPPA is more than just healthcare regulation. It a foundation but a guideline for businesses and consumers to operates in a way that protects both parties. Its political impact is always often being defined based off different such as the dotcom bubble, 2008 economic recession, and covid-19. From its creation since 1996 it has set a standard for lawmakers in the United States and aboard.

Sources

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