

Report on Patient Privacy Volume 18, Number 6. June 30, 2018 Judge Refuses to Overturn HIPAA Conviction

By HCCA Staff

A former Michigan gynecologist is scheduled to be sentenced in September for HIPAA violations after a judge in May refused to throw out her conviction.

Rita Luthra, M.D., was convicted on April 30 of “obstruction of a criminal investigation of a health care offense” and “wrongfiilly (sic) disclosing individually identifiable health information.” She was found not guilty of witness tampering. Her sentence may include both jail time and fines (*RPP 5/18, p. 4*).

Dr. Luthra’s charges stemmed from a federal investigation of a drug manufacturer accused of paying kickbacks to physicians to encourage them to prescribe its medications. The government said Dr. Luthra inappropriately allowed her medical assistant and a representative of the firm to work together to complete preapproval requests to submit to insurance firms for coverage of a new drug. She also was accused of changing her story to investigators questioning the reason behind payments received from the pharmaceutical firm.

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