

EXHIBIT A

STATE OF NORTH CAROLINA
DURHAM COUNTY

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
23 INS 738

BLUE CROSS AND BLUE SHIELD OF
NORTH CAROLINA,

Petitioner,

v.

NORTH CAROLINA STATE
HEALTH PLAN FOR
TEACHERS AND STATE
EMPLOYEES

Respondent

and

AETNA LIFE INSURANCE COMPANY

Respondent-Intervenor.

QUALIFIED PROTECTIVE ORDER

[45 C.F.R. § 164-512(e)(1)]

Upon motion by the Parties in this contested case, and for good cause shown in order to comply with regulations issued by the United States Department of Health and Human Services pursuant to the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), it is hereby ordered that the following safeguards will apply to any information that is furnished by any party to any of the other parties and which constitutes or contains “Individually Identifiable Health Information,” as defined in the HIPAA Privacy Rule:

1. Each Disclosing Party shall label any Individually Identifiable Health Information that it furnishes to other parties in the course of this contested case appeal with an appropriate, legible legend indicating that the information is subject to the protections in this Order (i.e., CONFIDENTIAL – SUBJECT TO HIPAA QUALIFIED PROTECTIVE ORDER).

2. Any party receiving individually identifiable health information from a Disclosing Party (each “a Receiving Party”) and each Receiving Party’s agents and counsel, are prohibited from using or disclosing any information furnished pursuant to this Order for any purpose except for litigating or resolving issues in this contested case, or in an appeal from the Final Decision in this contested case.

3. Any Receiving Party may move to have documents or other information removed from the protections of this Order by making a motion to that effect.

4. Within 90 days after the conclusion of this contested case proceeding, and any appeals therefrom, each Receiving Party, and its agents and counsel shall: (i) return to the Disclosing Party any and all existing copies of any information received pursuant to this Order, including any additional copies of the information that have been created by a Receiving Party in any form or medium; and (ii) to the extent that any Receiving Party has destroyed such information, certify the destruction of any and all copies of all such information received, or created.

5. The terms of this Order shall survive and be binding upon each Receiving Party after the conclusion of this contested case proceeding and any appeals therefrom.

SO ORDERED, this _____ day of _____, 2023.

Melissa Owens Lassiter
Administrative Law Judge