

Timothy J. Ford Quoted In NJ.com Article, "Is It A HIPAA Violation For A Business To Ask For Proof That You Got A COVID Vaccine?"

As published by [NJ.com](#), May 14, 2021

By [Karin Price Mueller](#) | NJ Advance Media for [NJ.com](#)

HIPAA stands for the Health Insurance Portability and Accountability Act (HIPAA), which was passed in 1996 and offers protection for a patient's health information.

The rule only applies to people in "covered entities," which include health care providers and health insurance companies, said Timothy Ford, partner and member of the employment and litigation departments at Einhorn, Barbarito, Frost & Botwinick in Denville.

Most employers and businesses are not "covered entities," Ford said.

"There is no law barring businesses from requesting vaccination cards or a vaccine passport before entering its place of business," Ford said. "Certain industries, such as the travel industry — particularly the cruise lines — have indicated an intent to require proof of vaccination."

Ford said legislation has been introduced in New Jersey and in other states to ban vaccine passports. If signed into law, there will probably be challenges based on constitutional grounds, he said.

But can employers require their workers to get a vaccine before returning to the workplace?

That's when it gets complicated.

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