

**Re: HIPAA Privacy**

Dear Health Care Provider:

Some physicians have expressed concern to us that they might be violating the HIPAA marketing restrictions by sending Community Health Talk invitations or specific treatment mailings to their patients. We want to assure you that this is not the case.

Certain types of communications are excepted from the definition of marketing under the Final HIPAA Regulations, including communications that:

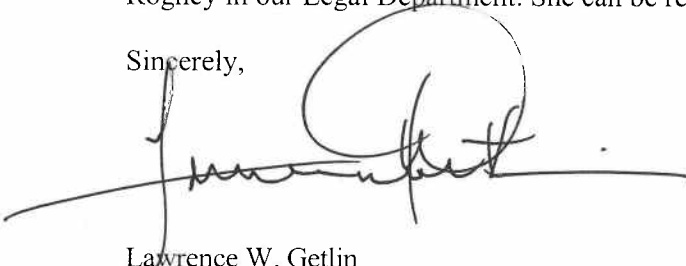
- Describe a health-related product or service that is provided by the covered entity making the communication;
- Are related to treatment of individuals;
- Direct or recommend alternative treatments or therapies; or
- Occur face-to-face for purposes of discussing health care products or services.

Persons or organizations required to comply with the HIPAA Privacy Rule (referred to as "covered entities") are permitted to make these types of communications without first having to obtain the patient's authorization.

The Community Health Talks provide an opportunity to present various alternative treatment options to your patients. Thus, an invitation to the Community Health Talks fits squarely within the exceptions described above. In addition, a mailing concerning a specific service or product provides an opportunity to describe a health-related product or service that you provide to patients. This specific treatment mailing fits squarely within the exceptions described above. This means that you are permitted to select patients with specific clinical conditions and send them an invitation to the Community Health Talk or send them a letter explaining a specific product or service that you provide, in each case, without concern about violating the HIPAA Privacy Rule.

Enclosed are three HIPAA Frequently Asked Questions published by the Department of Health and Human Services that address the permissibility of covered entities to communicate with patients concerning available treatment options. If you should have any further questions, please contact Melanie Rogney in our Legal Department. She can be reached at 952.930.6207.

Sincerely,



Lawrence W. Getlin  
Senior Vice President, Corporate Compliance, Quality and Legal