DEPARTMENT: Administration

BY: Rick Benson

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:
Adopt a resolution recognizing the County of Mariposa as a hybrid covered entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and designating the County Administrative Officer as the County's HIPAA Privacy Officer.

In order to be in compliance with HIPAA, the County must adopt a resolution recognizing itself as a covered entity and designate a Privacy Officer. Because the County has two departments that collect individually identifiable health information (the Public Health Department and the Behavioral Health Department) the County is considered a “hybrid covered entity.” Also, because there are two separate departments affected by HIPAA, staff is recommending that the County Administrative Officer be designated as the Privacy Officer for compliance issues.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
None.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not adopt the Resolution. The County will be out of compliance with HIPAA.

Financial Impact? ( ) Yes (X) No

Current FY Cost: $

Amount in Budget: $

Additional Funding Needed: $

Source:

Internal Transfer

Unanticipated Revenue

Transfer Between Funds

Contingency

( ) General ( ) Other

List Attachments, number pages consecutively

Resolution

Financial Impact? ( ) Yes (X) No

Current FY Cost: $

Annual Recurring Cost: $

Budgeted in Current FY? ( ) Yes ( ) No ( ) Partially Funded

Amount in Budget: $

Additional Funding Needed: $

Source:

Internal Transfer

Unanticipated Revenue

Transfer Between Funds

Contingency

( ) General ( ) Other

CLERK’S USE ONLY:

Res. No.: Ord. No. ______

Vote – Ayes: ______ Noes: ______

Absent: ______

Approved

( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: ______

Attest: MARGIE WILLIAMS, Clerk of the Board

County of Mariposa, State of California

By: ______

Deputy

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended

No Opinion

Comments:

CAO: ______
MARIPOSA COUNTY RESOLUTION NO. 06-579

A RESOLUTION RECOGNIZING THE COUNTY
AS A HYBRID COVERED ENTITY UNDER THE HEALTH INSURANCE AND
PORTABILITY ACCOUNTABILITY ACT AND
DESIGNATING THE COUNTY ADMINISTRATIVE OFFICER
AS THE PRIVACY OFFICER

WHEREAS, the Health Insurance Portability and Accountability Act of 1996
(HIPAA) designates any entity which is a health care provider, health plan or health
care clearinghouse to be a “covered entity”; and

WHEREAS, any covered entity may recognize itself as a hybrid covered entity
and designate health care components as those covered by HIPAA; and

WHEREAS, the Public Health Division of the Mariposa County Health
Department and the Behavioral Health Division of the Mariposa County Human
Services Department are health care components of the County; and

WHEREAS, HIPAA regulations requires that a hybrid entity name a Privacy
Officer for HIPAA compliance issues.

NOW, THEREFORE, BE IT RESOLVED that for purposes of compliance with
the Health Insurance Portability and Accountability Act of 1996, the County of
Mariposa recognizes itself as a hybrid covered entity composed of the Public Health
Division of the Mariposa County Health Department and the Behavioral Health
Division of the Mariposa County Human Services Department; and

BE IT FURTHER RESOLVED that Rick Benson, County Administrative Officer
is designated as the HIPAA Privacy Officer for the County of Mariposa.

PASSED AND ADOPTED, by the Board of Supervisors of the County of
Mariposa, on this 19th day of December 2006, by unanimous vote.

LEE STETSON, Chairman

Attest: Margie Williams, Clerk of the Board

Approved as to Form and Legal Sufficiency:

Thomas P. Guarino, County Counsel