DEPARTMENT: Human Services/Behavioral Health  BY: Cheryle Rutherford-Kelly
PHONE: 966-2442

RECOMMENDED ACTION AND JUSTIFICATION:
It is respectfully requested that your Board authorize the Director of the Mariposa County Human Services Department to enter into a Business Associate Agreement with Mariposa Counseling Center-Kings View to set forth terms and conditions for use or disclosure of “Protected Health Information,” as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and 45 C.F.R. Section 164.501.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
With the exception of the Mental Health Director, Kings View Corporation has not allowed Human Services personnel to work on site at the Mariposa Counseling Center. In the interest of safeguarding the privacy of protected health information, Kings View management has stipulated that County personnel be bound by the provisions of the attached Business Associate Agreement. Under this agreement, County personnel will be able to work at the Counseling Center to better understand their technical and clinical processes.

There are no costs associated with this agreement.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Failure to enter into the Business Associate Agreement will complicate the transition process.

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 4/5's vote
Transfer Between Funds 4/5's vote
Contingency 4/5's vote
( ) General ( ) Other

CLERK'S USE ONLY:
Res. No.: 8458  Ord. No. ______  
Vote – Ayes: ______  Noes: ______  
( ) 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: __________________
February 2, 2004

TO: Members, Board of Supervisors
   Rich Inman, CAO
FROM: Cheryle Rutherford-Kelly
RE: Mental Health / Transition

Recommendation

It is respectfully requested that your Board authorize me to enter into a Business Associate Agreement with Mariposa Counseling Center-Kings View to set forth terms and conditions for use or disclosure of "Protected Health Information," as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and 45 C.F.R. Section 164.501.

Background / Current Situation

With the exception of the Mental Health Director, Kings View Corporation will allow Human Service managers to work on site only if the attached Business Associate Agreement is signed.

Managers from Human Services are working with Kings View to better understand their technical and clinical process. Your ratification of this agreement will be most helpful.

Financial

There are no costs associated with this agreement.