



**M E M O R A N D U M**  
**HEALTH AND HUMAN SERVICES**  
**ADMINISTRATIVE SERVICES**  
County of Placer

TO: Board of Supervisors

DATE: May 19, 2020

FROM: Jeffrey S. Brown, M.P.H., M.S.W., Director of Health and Human Services  
Nancy Baggett, Placer County HIPAA Privacy Officer

Jarrett Thiessen, Chief Information Officer, Information Technology  
Deborah Curtis, Placer County HIPAA Security Officer

SUBJECT: Approval of Health Insurance Portability Accountability Act Privacy and Security Policies

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**ACTION REQUESTED**

Adopt a Resolution approving Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Policies, and authorizing the Director of Health and Human Services to approve changes to these policies subject to reauthorization by the Board not less than every 5 years.

**BACKGROUND**

In June 2009, this Board passed a resolution declaring the County of Placer to be a Hybrid Entity for purposes of compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH). The Hybrid Entity designation limits the applicability of HIPAA to only those County departments or programs that are appropriate under HIPAA standards. Placer County departments and programs not covered by HIPAA are still subject to other confidentiality laws regarding their handling and protection of medical and personal information. The resolution also delegated to the HHS Director, in conjunction with the HIPAA privacy and security officers, the authority to identify those County departments and programs that are part of the County Hybrid Entity. HHS developed the necessary policies and procedures to implement these laws. The Resolution and the Policies were updated and approved by Your Board again in 2014 and are being brought forward again for approval.

The County departments and programs that have been previously identified as being covered entities under the County's Hybrid Entity Designation that will continue to be included are: Health and Human Services – Public Health Division Health and Human Services – Adult System of Care Division (all programs including In Home Support Services but excluding Public Administrator), and Health and Human Services – Children's System of Care Division Mental Health Services and Child Welfare Services (nursing and mental health components). As of January 1, 2019, newly added as being covered entities are: The District Attorney's Office – Sexual Assault Response Team's (SART) medical staff only, Health and Human Services – Human Services Division Medi-Cal Eligibility Program and Veteran's Service Office, and additional programs under the Adult System of Care. The Medical Clinic and the Public Health Laboratory were removed from the Hybrid Entity due to closure.

The County departments and programs that have been previously identified as being business associate-like entities under the County's Hybrid Designation that will continue to be included are: The Auditor-Controller, Information Technology, County Counsel, and Health and Human Services – Administration Division. As of January 1, 2019, newly added as being business associate like entities under the County's Hybrid Designation are: County Executive Office-Risk Management Division, and the Health and Human Services – Children's System of Care Division's Foster Youth Education Program and the Independent Living Services Program.

With the recommended changes to the County Hybrid, the changes to technology and laws being updated, these policies have been updated to reflect current practices and are being brought to Your Board for review and approval. These updated policies have been reviewed and approved by County

Counsel, including the omittance of Privacy Policy Number 21. Health and Human Services and Information Technology are requesting approval of these policies by the Board and authorization to make interim changes to these policies, with resubmission of any modifications of policies to the Board no less than every five years.

**FISCAL IMPACT**

There is no impact to the County General Fund as a result of this action.

**ATTACHMENTS**

Resolution

Hybrid Memo

The HIPAA Privacy and Security Policies and Forms are on file with Clerk of the Board

# Before the Board of Supervisors County of Placer, State of California

**In the matter of:**

A Resolution approving HIPAA Privacy and Security Policies, and authorizing the Director of Health and Human Services to approve policy changes.

Resolution No.: \_\_\_\_\_

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held \_\_\_\_\_ by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

\_\_\_\_\_

Chair, Board of Supervisors

Attest:

\_\_\_\_\_  
Clerk of said Board

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WHEREAS, In June 2009, the Placer County Board of Supervisors adopted a resolution declaring the County of Placer to be a Hybrid Entity for purposes of compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The resolution also delegated to the HHS Director, in conjunction with the HIPAA privacy and security officers, the authority to identify those County departments and programs that are part of the HIPAA Hybrid Entity. The Board also adopted a companion resolution delegating to the HHS Director the authority to appoint the HIPAA privacy officer and security officer.

WHEREAS, In October 2014, the Placer County Board of Supervisors updated the resolution to approve changes to the policies and the privacy and security officers.

WHEREAS, as a result of changes to Federal law, changes with technology and changes in the privacy and security officers, and the previous action to bring policies forward to the Board of Supervisors every five years, the Placer County HIPAA privacy officer and security officer have updated Placer County's HIPAA policies.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Placer, State of California, hereby approves the HIPAA Privacy and Security Policies, the Privacy Forms, and the Hybrid Entity Memorandum attached to this Resolution.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the Director of Health and Human Services, in conjunction with the Placer County HIPAA privacy officer and security officer, to modify adopted HIPAA policies and forms or create new HIPAA policies with any such policy changes to be submitted to the Board of Supervisors for re-authorization not less than every five years.

Attachments:

Hybrid Memo

Privacy Policies (Numbers 001 - 022)

Security Policies (Numbers 01 - 16)

Privacy Forms (Numbers 1-19)