

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: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Resolution _____
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.: 06-579 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 Minute Order Attached No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

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

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.



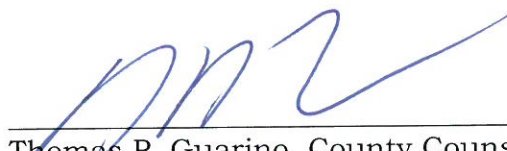
LEE STETSON, Chairman

Attest:

Approved as to Form
and Legal Sufficiency:



Margie Williams, Clerk of the Board



Thomas P. Guarino, County Counsel