



County of El Dorado

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Legislation Text

File #: 09-0193, **Version:** 1

Human Resources Department recommending the Board approve an amendment to the County's Hybrid Entity organizational structure to include the Human Resources Department, as required by the Health Insurance Portability and Accountability Act.

Fiscal Impact/Change to Net County Cost: None

Background: The Health Insurance Portability and Accountability Act requires health care providers, health plans, and health care clearinghouses that conduct certain electronic transactions to comply with Code of Federal Regulations 45 Parts 160-164. After a detailed assessment was conducted in 2002, the Board of Supervisors approved the designation of El Dorado County as a Hybrid Entity and identified the Chief Administrator's Office, County Counsel, Auditor/Controller's Office, Public Health Department, Mental Health Department and Risk Management Division as health care components based on the activities and functions they conduct. In 2006 the Revenue Recovery Division of the Treasurer-Tax Collector's Office and Information Technology Department were designated by the Board of Supervisors as health care components.

Reason for Recommendation: There are a variety of functions that fall under the jurisdiction of HIPAA regulations. The Health Services Department (Public Health and Mental Health) are health care providers; the Risk Management Division administers the County's health plan; the Auditor/Controller's Office pays claims; the Human Services Department administers the Multiple Senior Services Program (MSSP) which bills MediCal; the Revenue Recovery Division performs collection activities on behalf of the County of El Dorado which involves the use and disclosure of protected health information (PHI); the Information Technologies Department conducts security functions as required by the HIPAA Security Rule, and may access PHI which is stored on the County's information systems.

A recent review of department functions has identified the Human Resources Department as a department that utilizes and has access to PHI. The Human Resources Department has access to PHI in the pre-employment medical evaluation process, disability management, the interactive process, and fitness for duty evaluations.

Therefore, in order to be in compliance with HIPAA regulations, the Human Resources Department should be included as part of the health care component of El Dorado County.

Action to be taken following Board approval: The Human Resources Department will be added to the list of health care components covered under HIPAA to ensure compliance with HIPAA regulations.

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