



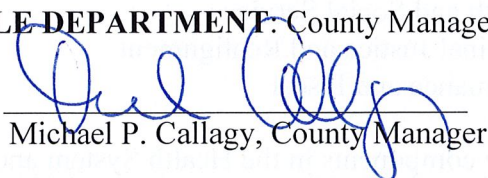
ADMINISTRATIVE MEMORANDUM COUNTY OF SAN MATEO

NUMBER: B-26

SUBJECT: Departments, or portions thereof, designated as Health Care Components pursuant to the Health Insurance Portability and Accountability Act (HIPAA) of 1996, 45 C.F.R. §164.105(c)), as amended and supplemented by Subtitle D of the Health Information Technology for Economic and Clinical Health Act (HITECH Act) of the American Recovery and Reinvestment Act of 2009 and the HIPAA Omnibus Rule, 78 Fed. Reg. 5565 (Jan. 25, 2013), amending C.F.R. Parts 160 and 164.

RESPONSIBLE DEPARTMENT: County Manager / Clerk of the Board

APPROVED:


Michael P. Callagy, County Manager

DATE: November 25, 2019

I. Purpose

This Administrative memorandum identifies the County departments that have been designated as “health care components” pursuant to Section 164.105(c) of Title 45 of the Code of Federal Regulations. This memorandum supersedes and replaces Administrative Memorandum B-26, dated June 26, 2014, and it makes changes necessary to reflect amendments to the San Mateo County Ordinance Code that implement departmental reorganizations.

II. Background

Under the Health Insurance Portability and Accountability Act (HIPAA) and its implementing regulations, certain entities covered by that statute’s security and privacy provisions are considered “hybrid entities.” Hybrid entities’ business activities include both covered and non-covered functions, and each such entity is required to designate its “health care components,” which execute functions that are covered by HIPAA.

III. Designation

Resolution Number 65888 of the San Mateo County Board of Supervisors designates the County of San Mateo as a “hybrid entity” within the meaning of HIPAA and requires the County Manager to identify which departments, or portions thereof, are the County’s “health care components.” The following departments are the County’s health care components:

- The Health System, excluding Emergency Medical Services, Environmental Health, Animal Control and Licensing, Tobacco Prevention Program, Tobacco Education Coalition, and Family Health Services.
- The Human Services Agency including Health System Public Health Nurses and Psychiatric Social Workers but excluding Collaborative Community Outcomes, San Mateo County Works, and Children and Family Services.

Portions of the following departments provide support services on behalf of a designated provider or plan involving the disclosure of individually identifiable health information:

- Office of the County Counsel
- County Manager's Office
 - County Manager
 - Assistant County Manager
 - Deputy County Manager, Community Services
 - Deputy County Manager, Health and Social Services
 - Deputy County Manager, Criminal Justice and Realignment
 - Chief Financial Officer, Performance and Fiscal
 - Office of Revenue Services
 - Analysts assigned to healthcare components in the Health System and the Human Services Agency
- Information Services Department
 - Information Management Services including Business and Fiscal Operations, Client Solutions, and Operations
- Office of the Controller
 - Internal Audit, Accounts Payable
- Human Resources Department
 - Employee Benefits, Equal Employment Opportunity Advisory Committee (EEO), Employee and Labor Relations, and Risk Management & Safety
- Sheriff's Office
 - Personnel assigned to Health System including San Mateo Medical Center security

The following programs function as health plans and are therefore covered by HIPAA:

- Behavioral Health and Recovery Services (BHRS)
- California Children's Services
- The County's Self-Funded Vision Plan and Self-Funded Dental Plan