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## CENTRAL CITY CONCERN

### RESOLUTION ON ITS DESIGNATION AS A HYBRID ENTITY UNDER HIPAA

#### INTRODUCTION

Pursuant to the Health Insurance Portability and Accountability Act of 1996 and the Administrative Simplification Rules located at 45 CFR Parts 160, 162, and 164 (hereinafter collectively referred to as "HIPAA"), a single legal entity whose business activities include both covered and non-covered functions may declare itself a hybrid entity. Central City Concern is a single legal entity whose business activities include both covered and non-covered functions and is therefore permitted to declare itself a hybrid entity. A hybrid entity is required to document those components of the entity that perform HIPAA covered functions. As part of a hybrid entity, covered units of Central City Concern may freely share protected health information among themselves as allowed under HIPAA (subject to other applicable federal and/or state regulations). Units that are not designated as "health care components" are not able to receive this protected health information without special authorization and are also not subject to HIPAA obligations.

#### DESIGNATION

In determining which components of Central City Concern to include in the health care component of the hybrid entity, Central City Concern is guided by HIPAA regulation 45 CFR §164.105(a)(2)(iii)(D). This regulation places responsibility on the covered entity to designate the health care component of the covered entity according to the following criteria:

1. A program or department that would meet the definition of a covered entity if it were a separate legal entity must be included in the health care component.
2. A program or department of the covered entity that would meet the definition of a business associate if it were a separate legal entity must be included in the health care component.
3. A program or department of the covered entity that performs covered functions may be included in the health care component, only to the extent that it performs covered functions.

Based on this guidance, Central City Concern formally designates itself as a hybrid entity under HIPAA. The following programs and departments of Central City Concern are officially designated as part of the health care component and are required to comply with HIPAA's privacy and security rules and standards:

- Old Town Recovery Center
- Old Town Clinic (Includes the Old Town Clinic Pharmacy)
- Hooper Detoxification Stabilization Center
- Central City Concern Recovery Center
- Puentes (Includes Esperanza Juvenil)
- Recuperative Care Program
- Community Engagement Program



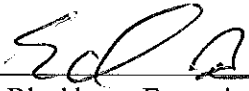
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- Central City Concern Hooper Inebriate Emergency Response Service (only to the extent they perform covered functions)
- Central City Concern Sobering Station (only to the extent they perform covered functions)
- Letty Owings Center
- Eastside Concern
- Central City Concern Health Improvement Projects Team
- The following departments of Central City Concern are also included in the health care component since they would meet the definition of a business associate if they were separate legal entities:
  - Accounting
  - Billing and Business Information Systems
  - Public Affairs
  - General Administration
  - Human Resources
  - Information Technology/Information Systems
  - Legal Affairs
  - Risk Management
  - Quality and Compliance
  - Benefits & Entitlement Specialist Team

The following programs and departments of Central City Concern are designated as non- health care components of the covered entity, and therefore are not subject to HIPAA's privacy and security rules and standards:

- Housing Rapid Response
- Recovery Mentor Program
- Central City Concern Housing (includes all Supportive Housing functions and programs including Parole Transition Program, Family Alcohol and Drug Network, Employment Recovery Program, Veteran's Grant Per Diem Program, Transition Services Unit supported Program, Recovery Housing & Supportive Program, and Oregon Youth Authority Program)
- Business Enterprises
- Employment Access Center

Approved by: \_\_\_\_\_

  
Ed Blackburn, Executive Director