



ANTONIO R. VILLARAIGOSA  
MAYOR

## EXECUTIVE DIRECTIVE NO. 13

Issued date: October 15, 2010

**Subject: Designation of the City of Los Angeles as a "Hybrid Entity" Pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA); Compliance with HIPAA and the Health Information Technology for Economic and Clinical Health Act**

The Health Insurance Portability and Accountability Act (HIPAA) establishes standards to protect the security and privacy of personally identifiable health care information provided to health plans, health care clearinghouses and health care providers who transmit health care information in electronic form. As recently amended and implemented by the Department of Health and Human Services, HIPAA provides patients with increased access to their medical records and more control over how their personal health information is used and disclosed. HIPAA also includes provisions designed to encourage electronic transactions and requires new safeguards to protect the security and confidentiality of health information.

The City of Los Angeles (City) strives to protect the confidentiality, integrity and availability of protected health information (PHI) by taking reasonable and appropriate steps to address the requirements of HIPAA. A number of departments (covered component parts) within the City of Los Angeles access, acquire, create, maintain and transmit PHI. Pursuant to HIPAA this information must be protected.

The City of Los Angeles is a "covered entity" under HIPAA and its regulations.<sup>1</sup> Under this law, all officers, employees and agents must preserve the integrity and the confidentiality of individually identifiable health information. But not all City departments regularly have access to PHI. The business activities of the

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<sup>1</sup> Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and regulations at 45 C.F.R. Parts 160, 162, and 164.

City include both covered and non-covered functions. Because of this, and pursuant to HIPAA, the City of Los Angeles hereby designates itself as a "Hybrid Entity."<sup>2</sup>

In accordance with 45 C.F.R. 164.105(a)(2)(iii)(C), the following components have been designated by the City of Los Angeles as "covered components" of the hybrid entity:

- a) The Los Angeles Fire Department;
- b) The Billing Section of the Los Angeles Fire Department;
- c) Correction Care Services of the Medical Services Division of the Personnel Department;
- d) Information Technology Agency;
- e) Records Management Division of the Office of the City Clerk; and
- f) Medical Services Office of the Employment Services Division of the Department of Water and Power.

All covered components are required to safeguard PHI in accordance with the Security Regulations promulgated pursuant to HIPAA.

All General Managers, Heads of Departments or Offices and Commissions of the City Government that have been designed as "covered components" are directed to ensure the following policy guidelines are followed:

1. All employees, agents and volunteers are to comply with HIPAA and those regulations that implement it;
2. All employees, agents and volunteers are to comply with City policies and procedures implementing HIPAA;
3. Access, use and disclosure of PHI is to be limited to authorized personnel;
4. All personnel are to be updated on all new requirements on a continuing basis;
5. Immediately document and notify the Privacy Officer of any unauthorized disclosures;
6. Take steps to mitigate any damages caused by unauthorized disclosure;
7. Ensure that access to PHI is for only "permitted uses" and is within the scope of the "authorizations," safeguarding PHI in accordance with the Security Regulations promulgated pursuant to HIPAA; and
8. Ensure security of facilities and technological operations.

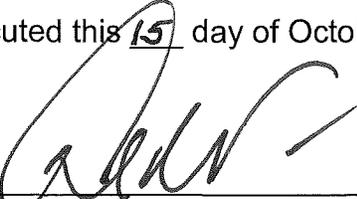
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<sup>2</sup> 45 C.F.R. 164.103.

The City of Los Angeles reserves the right to amend this policy to include additional components and to make exceptions to, modify or eliminate this policy.

Questions regarding this subject may be addressed to the City Attorney's Office.

Executed this 15 day of October, 2010



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ANTONIO R. VILLARAIGOSA  
Mayor