

Board Meeting
November 14, 2013

DESIGNATE THE UNIVERSITY OF ILLINOIS HEALTH INSURANCE
PORTABILITY AND ACCOUNTABILITY ACT HYBRID ENTITY
AND ADOPT HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY
ACT PRIVACY AND SECURITY COMPLIANCE POLICY

Action: Designate the University of Illinois Health Insurance Portability and Accountability Act hybrid entity and adopt Health Insurance Portability and Accountability Act Privacy and Security Compliance Policy

Funding: No New Funding Required

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) assures the privacy and security of health information maintained by covered entities. The University is a covered entity because certain University units perform HIPAA-covered functions or activities. The majority of the University's units, however, do not perform HIPAA-covered functions or activities. HIPAA regulations permit covered entities that perform both covered and non-covered functions to designate themselves hybrid entities so as to limit their HIPAA compliance efforts essentially to only those health care components that perform HIPAA-covered functions or activities.

In order to take advantage of the hybrid entity provisions, the University must identify and document its health care components. Although the University previously has documented its health care components, recent amendments to the HIPAA regulations expanded the privacy and security protections to include components of an

entity that perform business associate functions. The President formed a work group to review the University's HIPAA-covered activities on all three campuses based on the new regulations. As a result of this review, the President recommends that the Board revoke the previous criteria approved for designating the health care components and designate the following health care components of the hybrid entity, replacing all previous designations:

University Administration:

- Office of University Counsel – limited to business associate functions
- University Office of Risk Management – limited to business associate functions
- Office of University Audits – limited to business associate functions
- Administrative Information Technology Services (AITS) – limited to business associate functions
- University Ethics Office – limited to business associate functions

Chicago Campus:

- University of Illinois Hospital & Health Sciences System
- College of Applied Health Sciences
- College of Dentistry
- College of Nursing
- College of Pharmacy
- School of Public Health
- College of Medicine at Chicago
- College of Medicine at Rockford
- College of Medicine at Peoria
- Division of Specialized Care for Children – limited to business associate functions
- Academic Computing and Communications Center (ACCC) – limited to business associate functions

Urbana Campus:

- The School of Social Work – limited to business associate functions
- Campus Information Technologies and Educational Services (CITES) – limited to business associate functions

Because the health care components may change from time to time depending on the activities that they undertake, the President recommends delegating the ongoing responsibility for properly designating the health care components of the hybrid entity and oversight of HIPAA compliance to the Office of the President. The President also recommends that the Board of Trustees approve the HIPAA Privacy and Security Compliance Policy, which outlines the structure of the University's HIPAA compliance program implementing the HIPAA Privacy and Security Rules.

The Board action recommended in this item complies in all material respects with applicable state and federal laws, *University of Illinois Statutes*, *The General Rules Concerning University Organization and Procedure*, and Board of Trustees policies and directives.