

**COUNTY OF CLARK**

**BOARD OF COMMISSIONERS RESOLUTIONS**

**DESIGNATION OF HIPAA HYBRID ENTITY STATUS**

WHEREAS, Clark County, Nevada (the “County”) is committed to compliance with all applicable laws and regulations relating to data privacy and security, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 (“HIPAA”) and regulations promulgated thereunder by the U.S. Department of Health and Human Services (the “HIPAA Regulations”);

WHEREAS, the Board of Commissioners has authorized the creation and implementation of a Privacy Compliance Program designed to prevent and detect violations of HIPAA and other applicable laws relating to data privacy and security by the County and its employees, agents and contractors; and

WHEREAS, the Board, based upon the recommendations of the County’s HIPAA Compliance Committee, has determined that the County may more effectively and efficiently administer its Privacy Compliance Program by designating the County as a “hybrid entity,” as that term is defined under HIPAA.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby designates the County as a “hybrid entity,” pursuant to Section 164.504(a) of the HIPAA privacy regulations (the “Privacy Rule”).

FURTHER RESOLVED, that the following County departments are hereby designated as part of the health care component of the County’s hybrid entity; (i) University Medical Center of Southern Nevada (“UMC”); (ii) the Social Services Department, to the extent that it operates the County Medical Assistance Service program; (iii) the Department of Juvenile Justice Services; and (iv) the Administrative Services Department to the extent that it operates the Employee Assistance Program.

FURTHER RESOLVED, that the following County departments are also designated as part of the health care component of the County’s hybrid entity, based upon the fact that they perform services for the departments listed in the above resolution and receive protected health information in the course of doing so: (i) the Information Technology Department; (ii) the Audit Department; (iii) the County Manager’s Office; (iv) the Board of County Commissioner’s; (v) the Finance Department to the extent it includes the Comptroller’s Office and Purchasing division; and (vi) the Civil Division of the District Attorney’s Office.

FURTHER RESOLVED, that the Board hereby authorizes and directs the HIPAA Executive Steering Committee to develop policies and procedures, and outline other actions necessary to cause the County to comply with the HIPAA Transaction and Code Set, Privacy, Security and National Provider Identifier Rule’s requirements for hybrid entities.

(eff.11/05/08)