

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON**

**RESOLUTION NO. \_\_\_\_\_**

Adopting Multnomah County HIPAA Privacy Policies updated for the HIPAA Omnibus Final Rule and Directing the Appointment of County Privacy Officer.

**The Multnomah County Board of Commissioners Finds:**

- a. The Health Insurance Portability and Accountability Act (HIPAA) of 1996 and its implementing regulations impose a variety of requirements on public and private covered entities to protect the privacy of individually identifiable health information.
- b. A number of county departments, divisions and programs use and disclose individually identifiable health information, including protected health information, and must comply with HIPAA. Other county departments, divisions and programs are not subject to HIPAA.
- c. Multnomah County is a "hybrid covered entity" as defined by 45 CFR §§ 164.103 and 164.105 of HIPAA.
- d. As a hybrid covered entity, Multnomah County must adopt and implement policies regarding the use and disclosure of protected health information.
- e. Multnomah County administered health plans, which are subject to HIPAA, are not included in the County hybrid covered entity and are instead separate covered entities separately subject to HIPAA.
- f. HIPAA requires Multnomah County to appoint a central person as the "Privacy Officer" for the County. The complexity of HIPAA and the implementing regulations, and the number and complexity of the departments, divisions and programs within the hybrid covered entity require that the County have a Privacy Officer dedicated solely to issues related to HIPAA and other issues of privacy related to information entrusted to the County.
- g. The HIPAA Omnibus Final Rule effective March 26, 2013 requires the County's compliance by September 23, 2013. The purpose of this resolution is to consolidate previous resolutions related to HIPAA compliance, and to assure that the County is and remains in full compliance with the Final Rule.

**The Multnomah County Board of Commissioners Resolves:**

- 1 To repeal and replace Resolution 03-006, Approving Designation of County as a "Hybrid Covered Entity" for Purposes of HIPAA Compliance.
  2. To repeal and replace Resolution 05-083, Amending Resolution No. 03-006 to Remove County Auditor as a Covered Component for Purposes of HIPAA Compliance.
  3. To repeal and replace Resolution 03-054 Adopting Multnomah County HIPAA Privacy Policies and Directing the Appointment of County Privacy Officer.
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4. To recognize the position of County Privacy Officer to be appointed by the Chair or the Chair's designee.
5. To authorize the County Privacy Officer to separately adopt and implement a complete set of HIPAA Privacy Policies for the Multnomah County hybrid covered entity, including any amendments as necessary to comply with HIPAA.
6. To authorize the County Privacy Officer to maintain a list of departments, divisions or programs considered to be covered components under the hybrid covered entity, and to amend the list of covered components as realignments occur and program offerings change within the County.
7. That each of the covered components within the hybrid covered entity shall develop privacy procedures implementing county-wide policies and administrative procedures and shall submit all covered component procedures, including proposed revisions, to the County Privacy Officer in County Management for final approval.
8. That each covered component shall designate a "privacy official" or privacy coordinator for that component who shall be designated as the covered component's contact for matters relating to HIPAA, including complaints of any breach or potential breach of protected information under HIPAA.
9. That each covered component shall promptly forward audit requests related to HIPAA compliance received from external entities to the County Privacy Officer.

**ADOPTED this 5th day of September, 2013.**

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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Jeff Cogen, Chair

REVIEWED:  
JENNY M. MORF, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Jacquie Weber, Deputy County Attorney

SUBMITTED BY: Cindy Hahn, County Privacy Officer

Att: Exhibit A