



Hillsborough County HIPAA Memorandum of Understanding Short Form

Various departments, divisions, sections and functional units of Hillsborough County that are not themselves HIPAA covered components do perform functions in connection with or to support the covered components, such as legal services, services related to deceased persons, emergency operations, data processing, accounting, auditing, quality assurance, management, customer services and administration. The _____ shall hereinafter be referred to as "Support Unit," and references to the "Support Unit" shall apply to all employees or staff working in those units to perform functions for the covered components. Under the authority of this Memorandum of Understanding, the Support Unit, when acting in support of the Aging Services Department, Children Services/Head Start, Criminal Justice, Fire Rescue Department, Health and Social Services Department and Human Resources Department as well as any other departments designated by the County Administrator as covered components (hereinafter "Covered Components") of Hillsborough County, agrees to be bound by the following:

The Support Unit shall engage in the following activities on behalf of the covered components:

The Support Unit shall not use or disclose Protected Health Information except for the purposes indicated above or as otherwise permitted or required by law.

The Support Unit shall use appropriate safeguards to prevent use or disclosure of the Protected Health Information other than in connection with the purposes indicated above or as otherwise permitted or required by law and shall have a written policy addressing such safeguards.

The Support Unit shall mitigate, to the extent possible, any harmful effect that is known to the Support Unit of any and all uses or disclosures of Protected Health Information by the Support Unit in contradiction of the requirements of this memorandum.

The Support Unit shall report to the HIPAA Compliance Official any uses or disclosures of the Protected Health Information that may be discovered in violation of this memorandum and the corrective action proposed and/or initiated. Support Unit should comply with Board Policy No. 07.14.00.00 and Support Units under the County Administrator and shall abide by the County Administration HIPAA policies and procedures.

The Support Unit shall ensure that any agent, including any subcontractor, to whom it provides Protected Health Information received from a covered component, or created or received on behalf of a covered component by the Support Unit, agrees to the same restrictions and conditions that apply throughout this memorandum with respect to such Protected Health Information.

The Support Unit shall in a timely manner provide access to the Compliance Official to all Protected Health Information in order to meet the requirements under 45 CFR § 164.524.

The Support Unit shall in a timely manner make any amendments to Protected Health Information as directed or agreed to by the Compliance Official pursuant to 45 § 164.526.

The Support Unit shall make internal practices, books and records, including policies and procedures about Protected Health Information, relating to the use and disclosure of Protected Health Information received from a covered component, or created or received on behalf of a covered component, available to the HIPAA Compliance Official or to the Secretary of Health and Human Services or its designee within five business days for the purposes of determining the Support Unit's compliance with the Privacy Rule or this memorandum.

The Support Unit shall document such disclosures of Protected Health Information and information related to such disclosures as would be required for a covered component to respond to an individual for an accounting of disclosures of Protected Health Information in accordance with 45 CFR § 164.528.

The Support Unit shall provide the HIPAA Compliance Official information and documentation collected in accordance with the preceding paragraph to respond to an individual requesting an accounting for disclosures as provided under 45 CFR § 164.528.

Permitted Uses and Disclosures

Except as otherwise limited herein, the Support Unit may use or disclose Protected Health Information to perform functions, activities, or services for, or on behalf of, county covered components, or as otherwise allowed by the Privacy Rule provided that such use or disclosure would not violate the Privacy Rule if done by the covered components or the minimum necessary policies and procedures of the County and its covered components that are communicated to the Support Unit in writing.

Except as otherwise limited herein, the Support Unit may use Protected Health Information for the proper management and administration of the Support Unit or to carry out the legal responsibilities of the Support Unit.

Except as otherwise limited herein, the Support Unit may use Protected Health Information to provide data aggregation services to the County as permitted by 45 CFR § 164.504(e)(2)(i)(B).

The Support Unit may use Protected Health Information to report violations of law to appropriate federal and state authorities, consistent with 45 CFR § 164.512(j)(1).

Obligations of the Covered Components

The Compliance Official shall notify the Support Unit of any limitations in the County's Notice of Privacy Practices in accordance with 45 CFR § 164.520, to the extent that such limitation may affect the use of Protected Health Information.

The Compliance Official and the covered components shall notify the Support Unit of any changes in, or revocation of, permission by an individual to use or disclose Protected Health Information, to the extent that such changes may affect the Support Unit's use of Protected Health Information.

The Compliance Official and covered components shall notify the Support Unit of any restriction to the use or disclosure of Protected Health Information to which the County has agreed in accordance with 45 CFR § 164.522, to the extent that such changes may affect Support Unit's use of Protected Health Information.

The covered component shall not request the Support Unit to use or disclose Protected Health Information in any manner that would not be permissible under the Privacy Rule if done by the covered component.

The Support Unit shall take whatever actions are necessary to comply with the requirements of HIPAA and any amendments thereto or to implement any changes required by law.

For the Support Unit:

Original Signature: _____

Date Signed: _____

Printed Name: _____

Department or Office: Consumer Protection & Professional Responsibility

For the Covered Component:

Original Signature: _____

Date Signed: _____

Printed Name: _____

Department or Office: _____

For Internal Use:

Filed with Compliance Office on _____
(date)

(Compliance Officer)