

RESOLUTION 26 - ____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, DECLARING PINELLAS COUNTY GOVERNMENT A HYBRID ENTITY FOR HIPAA PURPOSES; IDENTIFYING HEALTH CARE COMPONENTS; ADOPTING AND IMPLEMENTING POLICY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 1996 Health Insurance Portability and Accountability Act (HIPAA) and its implementing regulations codified in the Code of Federal Regulations (CFR) set standards, requirements and implementation specifications for compliance by all parties designated as either covered entities or business associates; and

WHEREAS, several departments and agencies of Pinellas County Government (County) may be considered healthcare components that would make the County a covered entity as defined by HIPAA because they are either health care providers or health plans; and

WHEREAS, some components and agencies of the County also may be considered business associates as defined by HIPAA because they regularly receive, create, maintain, use or share individually identifiable protected health information (PHI) when providing services to those healthcare components; and

WHEREAS, the County, pursuant to a County Administrator memo to all Department heads dated April 11, 2003, designated itself as a “Hybrid Entity” as defined in 45 CFR 164.103. Due to restructuring of County departments, this designation was later amended by a second memo from the County Administrator dated January 21, 2010; and

WHEREAS, a recent review of the County’s prior designations revealed that the taxpayers of Pinellas County would be best served by further amendment to the County’s Hybrid Entity status consistent with applicable laws; and

WHEREAS, the County now wishes to formally ratify and restate it’s status as a Hybrid Entity to limit HIPAA compliance to the responsible healthcare components and business associates identified herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, AT A DULY ASSEMBLED MEETING HELD ON THIS ____TH DAY OF _____ 2026, AS FOLLOWS:

Section 1. Pinellas County Government is declared a “Hybrid Entity” for all purposes related to HIPAA and its implementing regulations, pursuant to 45 CFR 164.103 et seq.

Section 2. The County hereby designates the following departments, divisions, or agencies as the County health care components and “covered entities” pursuant to HIPAA (45

CFR 164.105(a)(2)(iii)). Subsequent changes in department names or structures will not impact this designation.

Pinellas County Healthcare Component Covered Entities

- Pinellas County Safety and Emergency Services Department
- The components of the Pinellas County Human Services Department which provide:
 - a. The Pinellas County Health Program
 - b. The Pinellas County Health Care for the Homeless Program
- Pinellas County's employee health benefits plan (including medical, pharmacy, dental, vision, behavioral/mental health, and EAP) administered by the Pinellas County Human Resources Department.

Section 3. The County hereby designates the following as "business associates" pursuant to HIPAA (45 CFR 164.105(a)(2)(iii)). Subsequent changes in department names or structures will not impact this designation.

Pinellas County HIPAA Business Associates

- Pinellas County Clerk of the Circuit Court Records Management Department
- Pinellas County Business & Technology Services (BTS)

Section 4. All other departments, divisions, and agencies of the County perform non-covered functions and are not covered entities or business associates for the purposes of HIPAA.

Section 5. Each County healthcare component must develop, implement & maintain HIPAA compliant policies and procedures, and shall protect electronic individually identifiable protected health information (PHI) with respect to non-healthcare components of the covered entity. No employee who performs duties for both a healthcare component and for a non-healthcare component of the County may use or disclose PHI created or received in the course of or incident to the employee's work for the healthcare component in a way prohibited by HIPAA.

Section 6. The designation of healthcare components and business associates listed herein may be modified or clarified, if necessary, based on changes in department names, structures, or functions, through a memo from the County Administrator to the Board of County Commissioners outlining the changes, which must be filed with the Board Records Department of the Pinellas County Clerk of the Circuit Court and Comptroller.

Section 7. Each department shall have their own designated HIPAA Privacy and Compliance Officer. The duties of this privacy officer include but are not limited to: development and implementation of HIPAA compliant policies and procedures, investigating privacy incidents, ensuring proper handling and access to patient data, and coordinating with regulatory bodies, other

HIPAA privacy officers and staff within the County to maintain a high level of privacy and security.

Section 8. This Resolution supersedes any prior designation(s) of hybrid status and shall take effect immediately upon its adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

Ayes:

Nays:

Absent not voting:

APPROVED AS TO FORM

By: Cody J. Ward
Office of the County Attorney