
Title:	DPH Privacy and Security Manual
Chapter:	I. DPH HIPAA Privacy Compliance, Policy Scope
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Purpose

The purpose of the Division of Public Health (DPH) privacy policy scope is to establish the applicability of the DHHS and DPH Privacy Policies across the Division. DPH, as an agency within the DHHS “hybrid entity,” consists of covered healthcare components and workgroups that perform functions on behalf of covered healthcare components (internal business associates). Certain privacy policies apply across the Division to all DPH workgroups. Other privacy policies apply only to the covered healthcare components and internal business associates.

Background

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule requires hybrid entities to identify the covered health care components and business associates within their entity. The NC DHHS HIPAA Office and DPH HIPAA Implementation Office working with the DPH workgroups and the NC Attorney General’s Office performed the covered healthcare component determination in February 2002 and the business associates determination in November 2002.

The DPH covered entity determination reports can also be found at [DPH HIPAA coverage summary](#). The [DPH Privacy Policy Scope Matrix](#) summarizes the DPH covered entity determination.

As part of the DHHS privacy policy development initiative, Department management, working with DHHS agencies and offices privacy officials, and the NC Office of the Attorney General, determined how the privacy policies would be applicable to workgroups within the DHHS agencies based on whether they:

- are HIPAA covered healthcare components or internal business associates
- have access to, use, or maintain individually identifiable health information (IIHI) related to services provided by the network of public health partner providers
- provide healthcare-related services directly to clients and maintain source IIHI related to the clients being served.

Policy

All DPH workgroups will follow the DPH privacy policies identified as applying across the Division. In addition, the identified DPH covered healthcare components and internal business associates will follow the DPH privacy policies as they apply to their workgroup. Every privacy policy includes a scope statement that identifies the type of DPH workgroups that must comply with the requirements set forth in the specific policy.

The [DPH Privacy Policy Scope Matrix](#) identifies the covered healthcare components and internal business associates within DPH. The matrix shows which privacy policies apply across DPH and which privacy policies apply selectively to the DPH covered healthcare components and internal business associates.

You can find the associated policies and guidelines listing their applicability at [DPH Privacy Applicability](#).

Reference: DHHS Directive Number III-11; DHHS HIPAA Office HIPAA Covered Healthcare Component Determination, DHHS HIPAA Office HIPAA Internal Business Associate Determination, DHHS Policy and Procedure Manual, Section VIII, Security and Privacy, DPH HIPAA Compliance Statement, 42 CFR Parts 160, 162, 164, NC General Statutes 130A, 10A NCAC

For questions or clarification on any of the information contained in this policy, please contact the DPH Privacy Office at HIPAA.DPH@ncmail.net.