

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

RESOLUTION REPEALING AND)
REPLACING RESOLUTION 2021-180)
HIPAA BUSINESS ASSOCIATE) **RESOLUTION NO. _____**
AGREEMENT ATTACHMENT ON)
BEHALF OF THE COUNTY OF YUBA)

WHEREAS, the Health Insurance Portability and Accountability Act (“HIPAA”) of 1996 requires covered entities who disclose protected health information (“PHI”) to third parties that assists them with their business functions (“Business Associates”) to have professional and technical service agreements ensuring that the Business Associates will adequately safeguard the information; and

WHEREAS, the County of Yuba is a hybrid entity, pursuant to HIPAA, as defined under Title 45 of the Code of Federal Regulations Section 164.103; and

WHEREAS, the County of Yuba, as a hybrid entity, may designate certain components and departments as covered components, making them subject to the Standards for Privacy and Security of Individually Identifiable Health Information set forth in Parts 160 and 164 of Title 45 of the Code of Federal Regulations; and

WHEREAS, Resolution 2021-180 designated as a covered component and authorized the Director of Health & Human Services to execute the HIPAA Business Associate Agreement on behalf of the County of Yuba for medical and dental services provided at Yuba County facilities and the Sheriff or authorized signor to execute the HIPAA Business Associate Agreement on behalf of the Yuba County Sheriff’s Department for professional services provided at the Yuba County Jail; and

WHEREAS, the Tri-County Juvenile Rehabilitation Division of the Yuba County Probation Department has been identified as a covered component and third parties with whom they contract as potential Business Associates under HIPAA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yuba:

1. The Director of Health and Human services shall have and retain authority to execute, on behalf of the County of Yuba for medical and dental services provided at Yuba County facilities, the HIPAA Business Associate Agreement Attachment to any medical and dental services agreement when determined to be required by the Yuba County Privacy Officer and Office of County Counsel in the form attached hereto and incorporated herein by this reference; and
2. The Yuba County Sheriff or authorized signor shall have and retain authority to execute, on behalf of the Yuba County for professional services provided at the Yuba County Jail, the HIPAA Business Associate Agreement Attachment to any professional services agreement when determined to be required by the Yuba County Privacy Officer and Office of County Counsel in the form attached hereto and incorporated herein by this reference; and
3. The Yuba County Chief Probation Officer or authorized signor of the Yuba County Probation Department is authorized to execute, on behalf of the Tri-County Juvenile Rehabilitation Facility, including Camp Singer and other Juvenile Facilities, the HIPAA Business Associate Agreement Attachment to any professional services agreement when determined to be required by the Yuba County Privacy Officer and Office of County Counsel in the form attached hereto and incorporated herein by this reference.

This Resolution shall remain in effect until repealed or until HIPAA is repealed, whichever is the first to occur.

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PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California, on the _____ day of _____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair

ATTEST: MARY PASILLAS
CLERK OF THE BOARD OF SUPERVISORS

MICHAEL J. CICOZZI
YUBA COUNTY COUNSEL
APPROVED AS TO FORM:

By:


