

# San Francisco Office of the City Administrator City Administrator Carmen Chu

Designating Various Departments of the City and County of San Francisco as Health Care Components Under HIPAA- Hybrid Entity

BOS Resolution File 250921

#### **Summary**

- In 2020, the City passed an ordinance creating Chapter 22H in SF Admin Code, which designates San Francisco as a HIPAA "Hybrid Entity."
- As part of the designation, the City Administrator is required to review the functions performed by City departments (in consultation with the City Attorney) and issue a report that identifies departments subject to HIPAA data protections, called "Health Care Components."
- In 2021, the City Administrator issued the first report and resolution (File No. 210343) for BOS approval, identifying the Department of Public Health (DPH), Fire Department (SFFD), and Health Service System (HSS), City Attorney (CAT), Treasurer-Tax Collector (TTX), and Department of Technology (DT) as Health Care Components.
- In early 2025, the HIPAA designation review process began and identified three new departments as Health Care Components: Controller's Office (CON), Department of Homelessness and Supportive Housing (HSH) and DataSF.
- In September 2025, we submitted an updated report and new resolution to the BOS to update the City's HIPAA Hybrid Entity designation.

## **HIPAA Health Care Components**

 A "Covered Entity" includes a health care provider or health plan that transmits any protected health information in electronic form in connection with a covered transaction. (DPH, SFFD, HSS)

• A "Business Associate" is an individual or entity that performs functions or activities on behalf of a covered entity that involve the use or disclosure of protected health information, such as billing, data analyses, or legal representation. (CAT, TTX, DT)

## 2025 Report

- Questionnaire with currently designated departments (DPH, HSS, SFFD, DT, TTX, CAT) to confirm their current activities or functions continue to meet the definitions of a Covered Entity and Business Associate
- Citywide survey to discover new departments
  - Online survey to potential departments
  - Follow up assessments and discussions with CON, HSH,
    HAS and DataSF to better understand their functions.
  - Confirmed that HSH, CON, and DataSF meet the definition Business Associate

#### **BOS Action**

- Board of Supervisors to accept the report and to:
  - Designate three newly identified departments as Business Associates:
    - Department of Homelessness and Supportive Housing
    - Controller's Office
    - DataSF (a division of the Office of City Administrator)
  - Continue the designation of the previously identified departments:
    - Department of Public Health, Fire Department, and Health Service System (Covered Entities)
    - City Attorney, Treasurer-Tax Collector, and Department of Technology (Business Associates)