




**MEMORANDUM**

To: Honorable Members of the Board of Supervisors

From: Carmen Chu  
City Administrator 

Re: Designating Departments as Hybrid Entities Under the Health Insurance Portability and Accountability Act (HIPAA)

Date: April 2, 2021

Administrative Code Chapter 22H requires certain City departments be designated as Health Care Components under the Health Insurance Portability and Accountability Act of 1996, commonly known as "HIPAA." HIPAA is a critical federal law that ensures the privacy of patients' health information.

Under federal law, a Health Care Component may meet the definition of a Covered Entity or Business Associate. A Covered Entity is an organization administering a health plan or functioning as a health care provider. A Business Associate has access to health information for limited purposes, such as billing or legal matters.

The departments included in this resolution were identified initially through a citywide survey of information collected by departments and subsequently reviewed by an independent consultant retained by the City Attorney's Office.

Currently, many departments have already adopted strict privacy standards. The City Administrator's DataSF team works with departmental data coordinators to properly classify data sets and ensure they are managed consistent with federal, state and local law. Departments designated through this process are expected to establish a HIPAA compliance policy, subject to approval by the City Administrator.

A resolution detailing these designations is enclosed. Please contact Bill Barnes at 415-554-7554 or [bill.barnes@sfgov.org](mailto:bill.barnes@sfgov.org) with any questions.