THE UP CENTER

STATEMENT OF DESIGNATION AS A HYBRID ENTITY UNDER HIPAA

Introduction

The Health Insurance Portability and Accountability Act (HIPAA) and its implementing regulations apply to individuals and organizations designated in the law/regulations as covered entities. These covered entities include: (1) group health plans; (2) health care providers who conduct certain transactions electronically, including but not limited to transmission of health care claims, health care payments, enrollment in a health plan, and referral authorizations; and (3) health care clearinghouses. Although Child and Family Services of Virginia dba The Up Center, does not primarily engage in these activities, some programs/departments within the Agency may perform functions that bring them within the definition of a covered health care provider under HIPAA.

Organizations such as Child and Family Service of Eastern Virginia dba The Up Center that have both covered entity departments and non-covered entity departments may choose to be designated as a hybrid entity. In this case, Child and Family Service of Eastern Virginia dba The Up Center must designate and include in its HIPAA "health care component", those programs/departments of the Agency that would meet the definition of a covered entity if they were separate legal entities. Under these circumstances, Child and Family Service of Eastern Virginia dba The Up Center, designates itself as a hybrid entity and remains responsible for oversight, compliance, and enforcement obligations. However, the HIPAA requirements apply only to the health care component.

Designation of Health Care Components

Child and Family Services of Eastern Virginia, dba The Up Center has designated certain programs/departments as constituting its healthcare components based on one or more of the following criteria:

1. A department that would meet the definition of a covered entity if it were a separate legal entity.

2. A department that performs covered functions or transactions under HIPAA.

3. A department that performs activities that would make it a business associate if it were a separate legal entity.

The following departments of The Up Center have been designated as its health care components and are required to comply with any applicable HIPAA regulations:

JBK (8/18)
• Outpatient Counseling
• Foster Care
• Community Base Services
• Sponsored Homes
• Therapeutic Recreation

Designation of Privacy and Security Officer

Child and Family Services of Eastern Virginia, dba The Up Center designates Sam Hochberg as the Compliance Officer and the Privacy Officer for its health care components: Sam Hochberg; (757) 622-7017; Sam.Hochberg@theupcenter.org. For any questions about Child and Family Services of Eastern Virginia, dba The Up Center's compliance with applicable HIPAA or state privacy and security laws and regulations regarding individually identifiable health information, please contact our compliance officer.