

Title/Subject: **HIPAA: HYBRID ENTITY DEFINED**

Applies to: faculty staff students student employees visitors contractors

Effective Date of This Revision: September 23, 2011

Contact for More Information: Chief Privacy Officer
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Board Policy Administrative Policy Procedure Guideline

BACKGROUND:

Central Michigan University is a covered entity under the HIPAA law and regulations. Its business activities include both covered and non-covered functions. It has decided to designate itself as a Hybrid Entity.

The Hybrid Entity is required to ensure that it does not disclose protected health information to any other component of the University in circumstances in which HIPAA regulations would prohibit such disclosure if the health care component and the other component were separate and distinct legal entities.

PURPOSE:

This policy designates the units within Central Michigan University which are part of the Hybrid Entity subject to the Privacy and Security regulations of HIPAA.

DEFINITIONS:

The terms used in this policy have the same meaning as those terms in the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 and the regulations at 45 CFR Parts 160, 162, and 164.

POLICY:

CMU hereby designates the following units as the health care components included in the Hybrid Entity:

Self-funded health plan components of the Central Michigan University Flexible Benefits Plan
University Health Service
Carls Center for Clinical Care and Education

The following CMU units are also designated as part of the Hybrid Entity to the extent that they perform activities that would make them business associates of one of the above health care components if they were separate entities:

Internal Audit
General Counsel
Faculty Personnel Services
Benefits & Wellness
Employee Relations

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Student Account Services & University Billing
Information Technology
Risk Management

Whenever University policies, procedures or guidelines refer to CMU as a covered entity under HIPAA, they are referring to the units listed above. The requirements of HIPAA apply only to the units of CMU included within the Hybrid Entity.

The above listed units may not use or disclose protected health information that they create or receive from or on behalf of the health care component in a way prohibited by HIPAA.

Although workforce members of the Hybrid Entity perform duties for both the health care components and for other components of the University, they must not use or disclose PHI created or received in the course of or incident to the members' work for the health care component in a way prohibited by HIPAA.

Central Michigan University reserves the right to make exceptions to, modify or eliminate this policy and or its content. This document supersedes all previous policies, procedures or guidelines relative to this subject.