

UNIVERSITY OF HOUSTON-DOWNTOWN

Designation of HIPAA Health Care Components

I. Purpose

A. Designation as a Hybrid Entity

The University of Houston-Downtown (UHD) is a Covered Entity whose business activities include covered and non-covered functions. Therefore, UHD designates itself as a Hybrid Entity, as defined under 45 C.F.R. § 105, for HIPAA purposes. In accordance with 45 C.F.R. § 105, UHD is required to designate its HIPAA covered Health Care Components and document such designation. This guideline serves to fulfill this requirement.

B. Scope

Each HIPAA covered Health Care Component must use and disclose Protected Health Information in a manner consistent with the HIPAA administrative, security, and privacy regulations, as well as all other federal and state laws and regulations governing their respective practices.

II. Definitions

- A. Covered Entity – A health plan, a health care clearinghouse, or a health care provider that transmits PHI in electronic form to conduct one or more of the following transactions: (i) claims, (ii) benefit eligibility, (iii) referral authorization, (iv) enrollment, (v) claim status, (vi) health care premium payments, or (vii) coordination of benefits.
- B. Business Associate – A person or entity, other than a member of a Covered Entity's workforce, that performs a function or service on behalf of a Covered Entity that involves the use or disclosure of PHI. A Business Associate may be a department within UHD or an unaffiliated third party.
- C. Health Care Component – An office, department, or other entity within UHD that, acting independently, would constitute a Covered Entity or a Business Associate.
- D. Hybrid Entity – A single legal entity that performs both HIPAA covered and non-HIPAA covered functions.

- E. Protected Health Information (PHI) – Any individually identifiable health information that is created, received, maintained, or transmitted on behalf of a Health Care Component.

III. Designated Health Care Components

- A. UHD designates the following as HIPAA covered Health Care Components:
 - i. UHD Student Health Services, to the extent its practice is covered by HIPAA in addition to FERPA.
- B. The following UHD and UH System departments and offices are designated as Health Care Components to the extent they provide Business Associate services to UHD Health Care Components with access to PHI:
 - i. UHD Human Resources
 - ii. Internal Audit Department
 - iii. Office of Compliance and Ethics
 - iv. Office of General Counsel
 - v. Risk Management
 - vi. University Information Technology

IV. Review

The Office of General Counsel and the Office of Compliance and Ethics shall review this guideline at least every two years or as otherwise deemed necessary.

Date: March 20, 2024