



## **AUGUSTA UNIVERSITY HYBRID DESIGNATION**

The Board of Regents of the University System of Georgia (“USG”) has designated itself a hybrid covered entity under the federal Health Insurance Portability and Accountability Act (“HIPAA”), comprised of units that perform functions subject to HIPAA requirements and units that do not (“Hybrid Entity”). In establishing and maintaining Hybrid Entity status, HIPAA requires the USG to designate (i) its units that provide health care services to patients and bill for such services through HIPAA-covered electronic transactions (each a “Covered Component”), and (ii) other departments at the USG providing support to Covered Components in a manner requiring the use or disclosure of protected health information and potentially would be considered a Business Associate of the Covered Component if separate legal entities (each a “Supporting Covered Component”). Collectively, these units are referred to as the Health Care Components (HCC). This designation is used to guide the scope and application of the USG’s HIPAA compliance activities to ensure the privacy, security, and proper use and disclosure of protected health information (“PHI”).

Pursuant to the Board of Regents of the University System of Georgia policy 7.13 *Designation of USG as a Hybrid Entity Under HIPAA*, “Any portion of USG engaged in a covered function or performing business associate activities for another component of USG engaged in a covered function, as those terms are defined by HIPAA, is hereby deemed part of the Health Care Component (HCC) of the USG Hybrid Entity. The University System Office (USO) and each USG Institution will be responsible for identifying the components, business units, colleges, or schools that are part of the HCC.”

Therefore, Augusta University (AU) is responsible for identifying any portion of AU that would either fit the definition of a Covered Component or may perform business associate functions (Supporting Covered Component) for the portions of the HCC that fit the definition of a covered entity.

### **Augusta University Assessment**

The Privacy Office (PO) and AU Office of Legal Affairs (OLA) have performed an assessment of AU departments regarding possible covered functions and applicable business associate activities. Based upon this assessment, it was determined that the following AU departments, activities, or operations be considered **within** the USG healthcare component:

- Dental College of Georgia
  - PO and OLA determined that the Dental College of Georgia (DCG) provides health care services and conducts standard transactions related to such services.

- Division of Information Technology (IT)
  - Provides services involving access, use, disclosure or transmission of PHI for or on behalf of the DCG and other HCCs.
  - IT includes the AU Cyber Defense and AU Information Security personnel resources, and the Chief Information Security Officer (CISO)
- Office of Audit, Compliance, Ethics, and Enterprise Risk Management
  - The Office of Audit, Compliance, Ethics, and Enterprise Risk Management (ACERM) which includes the Privacy Office and the Chief Privacy Officer (CPO), provides services involving access, use, disclosure or transmission of PHI for or on behalf of the DCG and other HCCs.
- Office of Legal Affairs (OLA)
  - Provides services involving access, use, disclosure or transmission of PHI for or on behalf of the DCG and other HCCs.
- Human Resources (HR)
  - Provides services involving access, use, disclosure or transmission of PHI for or on behalf of the DCG and other HCCs.
- As applicable to auditing, monitoring, and investigations, any unit that requires access, use, disclosure or transmission of PHI to support AU's Research efforts
- Any other business or administrative unit performing business associate type activities for an AU HCC

The PO and IT, along with other applicable units, will support activities necessary for HIPAA compliance within the HCCs and other applicable units of AU. All HCCs will be required to implement or adopt policies and procedures that are required by HIPAA and other relevant law or regulation. As AU components, business units, colleges, or schools embark on new missions and expansion, the appropriate designations will be determined in accordance with USG and AU policies and procedures.

- *NOTE: There may be AU offices and entities that are not designated as HCCs of AU, but do provide services involving PHI for or on behalf of AU, another external Covered Entity or Business Associate, or activities that involve PHI pursuant to a Data Use Agreement or other arrangement. While not designated as a HCC of USG or AU, any such unit is required to fully comply with applicable HIPAA requirements, including, but not limited to, following AU HIPAA policies, procedures, and training requirements. This Designation will be reviewed and updated on a regular basis.*

Effective January 1, 2021