

# DEFINITIONS

**Authorization:** The Authorization Form (Form 3) maintained and updated by the HIPAA Compliance and Privacy Officer.

**Business Associate:** Any Individual or entity, other than a workforce member, that creates, receives, maintains, or transmits PHI on behalf of a covered component or provides certain services that involve the disclosure of PHI/PII.

**Business Associate Agreement (BAA):** Is a written arrangement that specifies each party's responsibilities when it comes to PHI. HIPAA requires Covered Entities to only work with Business Associates who assure complete protection of PHI. These assurances must be in writing in the form of a contract or other agreement between the Covered Entity and the Business Associate.

**Breach:** An incident involving the improper or unauthorized access, collection, use, disclosure, or retention and/or disposal of personal information (PHI). Such activity is deemed to be "improper" or "unauthorized" if it occurs in contravention of the Privacy Act.

**Commissioners Court:** In Travis County, as a group, the commissioners and county judge are the chief policy-making and administrative branch of county government. Among their many functions, the court sets the tax rate, determines fees for many county services, and determines how the collected revenues will be distributed among different county departments to provide services to the community.

**Complaint:** Is a statement by an individual about an act or practice of a relevant entity (the respondent for the complaint) in relation to the individual's personal information that is a breach of the relevant entity's obligation.

**Complainant:** The individual who makes the complaint.

**Covered Component:** A program, department or division that performs the functions of a health plan or a health care provider and that Travis County as a hybrid entity has designated as a covered component in the *Order of the Travis County Commissioners Court declaring Travis County a Hybrid Entity, Designating Covered Entity and Business Component Units, Designating Privacy Official and Identifying Security Official.*

**De-Identification:** Process used to ensure personal data cannot be linked to an individual. De-identification is achieved by removing certain data elements from a data set so that the information could no longer be used to identify a specific individual.

**Designated Record Set:** A group of records maintained by a covered component within Travis County that includes patient medical and billing records for providers; the enrollment, payment, claims adjudication, and cases or medical management record systems maintained by or for a health plan, or used in whole, or in part, by or for the covered component to make decisions about individuals.

**Electronic Protected Health Information (ePHI):** is protected health information that that is produced, saved, transferred, or received in an electronic form.

**Encryption:** The conversion of plaintext information into a code or cipher text using a variable called a "key" and processing those items through a fixed algorithm to create the encrypted text that conceals the data's original meaning. Applicable law may provide for a minimum standard for compliant encryption, such as Health Insurance Portability and Accountability Act (HIPAA) or National Institute of Standards and Technology (NIST) standards.

**Governing Committee:** A group composed of Travis County workforce members and department heads that meet to make decisions about and recommendations related to HIPAA and medical privacy within Travis County.

**Health Insurance Portability and Accountability Act (HIPAA) Compliance and Privacy Officer:** A person directly employed by Travis County, appointed by the Travis County Commissioners Court and authorized by any elected or appointed officials to develop, implement, and enforce (with respect to Commissioners Court covered components) Travis County's compliance with HIPAA and medical privacy laws.

**HIPAA Privacy Rule:** Establishes national standards to protect individuals' medical records and other personal health information and applies to health plans, health care clearinghouses, and those health care providers that conduct certain health care transactions electronically (ePHI).

**Hybrid Entity:** A single legal entity that is a covered entity under the HIPAA Privacy Rule and whose business activities include both covered and non-covered HIPAA functions, and that designates health care components in accordance with 45 C.F.R. § 164.105(a)(2)(iii) (C). A Hybrid Entity must designate as a health care component, any other components of the entity that provide services to the covered functions for the purpose of facilitating the sharing of PHI (as defined below) with such functions of the hybrid entity without business associate agreements or individual authorizations.

**Incident:** Anything that a staff member feels should be report or addressed by the HIPAA Compliance and Privacy Office. Anything reported to the HIPAA Compliance and Privacy Office is considered an incident until a full investigation can be conducted by the HIPAA Compliance and Privacy Office makes a determination if incident is a Policy Violation, Breach, etc.

**Individual:** A person who is the subject of PHI maintained by a covered component of Travis County. **A Personal Representative (defined below) is treated as the Individual for purposes of administering Travis County HIPAA policies and procedures.**

**Institutional Review Board:** A committee consisting of appropriate persons and designated by an entity, such as an academic institution, to protect the rights of human subjects involved in research studies.

**Limited Data Set:** A limited set of identifiable information defined in the HIPAA privacy regulations that may be released for research, public health, or health care operations purposes only when certain conditions are met.

**Personally Identifiable Information (PII):** any information used to identify an individual directly or indirectly.

**Personal Representative:** A person authorized and designated by an Individual or a court acting on an Individual's behalf, or who is legally authorized by a state or other applicable law to act on behalf of an Individual in making health care decisions.

**Power of Attorney:** A written, witnessed, and notarized document in which one person appoints another person to act on his or her behalf, and authorizes the appointed person to perform the acts or functions stated in the document on behalf of the first person.

**Privacy Liaison:** A person within each department, division, or program identified as the person accountable for ensuring that the department, division, or program complies with the appropriate federal and state medical privacy laws.

**Professional Judgement:** Judgement that is informed by professional knowledge of curriculum expectations, context, evidence of learning, methods of instruction and assessment, and the criteria and standards that indicate success in student learning. In professional practice, judgement involves a purposeful and systematic thinking process that evolves in terms of accuracy and insight with ongoing reflection and self-correction.

**Program:** A section within a department in Travis County that either reports to the Commissioners Court or another elected or appointed official.

**Protected Health Information (PHI):** Individually identifiable health information that is transmitted or maintained in any form or medium (including electronic (ePHI), oral, or paper) by a Covered Component or its Business Associate. Individually identifiable health information relates to the past, present, or future physical or mental health condition of an individual; the care of the individual; or the past, present, or future payment for healthcare to an individual; and includes enough information to provide a reasonable basis to believe that the information could be used to identify the individual.

**Protected Health Information (PHI)  
Identifiers**

The **18 Identifiers** defined by HIPAA are:

<input checked="" type="checkbox"/> Name	<input checked="" type="checkbox"/> Medical record number
<input checked="" type="checkbox"/> Postal address	<input checked="" type="checkbox"/> Health plan beneficiary #
<input checked="" type="checkbox"/> All elements of dates except year	<input checked="" type="checkbox"/> Device identifiers and their serial numbers
<input checked="" type="checkbox"/> Telephone number	<input checked="" type="checkbox"/> Vehicle identifiers and serial number
<input checked="" type="checkbox"/> Fax number	<input checked="" type="checkbox"/> Biometric identifiers (finger and voice prints)
<input checked="" type="checkbox"/> Email address	<input checked="" type="checkbox"/> Full face photos and other comparable images
<input checked="" type="checkbox"/> URL address	<input checked="" type="checkbox"/> Any other unique identifying number, code, or characteristic
<input checked="" type="checkbox"/> IP address	
<input checked="" type="checkbox"/> Social security number	
<input checked="" type="checkbox"/> Account numbers	
<input checked="" type="checkbox"/> License numbers	

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**Reasonable Diligence:** The business care and prudence expected from a person seeking to satisfy a legal requirement under similar circumstances. It may also be described as the care and attention that is expected and exercised by a reasonable and prudent person under the circumstances.

**Security Incident:** The attempted or successful unauthorized access, use, disclosure, modification, or destruction of PHI or interference with system operations in an information system that does not result in a breach. Examples include: Computer system breaches; Unauthorized access to, or use of, systems, software, or data; Unauthorized changes to systems, software, or data; Loss or theft of equipment storing institutional data; Denial of service attack; Interference with the intended use of IT resources; Compromised user accounts.

**Workforce Member:** An employee, volunteer, trainee, or other person whose conduct, in the performance of work for Travis County, is under the direct control of Travis County, whether or not they are paid by Travis County.