



Agenda Date: 4/19/2005  
Agenda Placement: 6R

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Britt Ferguson for Nancy Watt - County Executive Officer  
County Executive Office  
**REPORT BY:** Andrew Carey, Management Analyst, 253-4477  
**SUBJECT:** Appointment of Napa County HIPAA Security Officer

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### **RECOMMENDATION**

County Executive Officer requests adoption of a resolution appointing the Information Technology Services Director to serve as the Napa County HIPAA Security Officer, effective April 19, 2005.

### **EXECUTIVE SUMMARY**

The Health Insurance Portability and Accountability Act (HIPAA) of 1996 includes a set of information security standards that apply to all HIPAA covered entities. The County of Napa is a HIPAA covered entity, and is therefore required to designate an individual to serve as the HIPAA security official with responsibility for the development and implementation HIPAA mandated security policies and procedures. Approval of the recommended action would appoint the Information Technology Services Director to serve as the Napa County HIPAA Security Officer, without additional compensation.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

The Health Insurance Portability and Accountability Act (HIPAA) of 1996 includes a set of information security standards (the HIPAA Security Rule) which apply to all HIPAA covered entities. The County of Napa is a HIPAA covered entity, and is therefore required to designate an individual to serve as the HIPAA security official with responsibility for the development and implementation of the policies and procedures mandated by the HIPAA Security Rule.

The HIPAA Security Rule requires that this security responsibility must reside in one individual. This assignment is designed to promote enterprise wide security for a covered entity. The HIPAA Security Officer's responsibilities include managing and supervising of the use of information technology security measures, ensuring the security of Electronic Protected Health Information (EPHI) specifically, and monitoring personnel in relation to data protection. Based on best practices implemented by other covered entities, it is recommended that the Security Official should be a member of management in order to have high visibility and access to executive staff.

In addition to the responsibilities identified above, the Napa County HIPAA Security Officer's duties may include, but are not limited to, the following actions:

- | Raise information security awareness through training and periodic reminders,
- | Respond to information security incidents and report them to the proper authorities,
- | Coordinate security efforts with the County Privacy Officer,
- | Promote and enforce security policies and procedures,
- | Act as security liaison between the County and other agencies,
- | Apply sanctions to departments or employees who violate County security policies, the HIPAA Security Rule, or other Information security related laws or regulations,
- | Manage and reduce Information Technology security risks to an acceptable level,
- | Implement security measures to reduce risks and vulnerabilities to a reasonable and acceptable level,
- | Update executive management on the status of information security, security initiatives and security incidents, and
- | Determine resources for implementing an effective information security management plan including staffing, hardware and software.

The County Executive Officer recommends that the Information Technology Services Director for the County of Napa be appointed to serve as the Napa County HIPAA Security Officer, commencing on April 19, 2005. The Information Technology Services Director has been recommended to serve as the HIPAA Security Officer because the HIPAA Security Officer's responsibilities focus primarily on security of electronically stored information. HIPAA Security Rule guidelines provide that the HIPAA Security Officer may delegate specific tasks to subordinates, while maintaining overall responsible for the implementation of the HIPAA Security rule.

Pursuant to the recommendation to appoint the Information Technology Services Director to serve as the HIPAA Security Officer, the class specifications for the Information Technology Services Director have been amended by Human Resources to provide that the employee holding that position shall be assigned to act as the Napa County HIPAA Security Officer without additional compensation.

**SUPPORTING DOCUMENTS**

A . Resolution

CEO Recommendation: Approve

Reviewed By: Britt Ferguson