

GEHA Designation as a Hybrid Entity under HIPAA

Under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), the Health Information Technology for Economic and Clinical Health Act of 2009 (“HITECH”), and its implementing regulations (collectively, “HIPAA”), an organization that conducts both covered entity and non-covered entity functions may choose to be designated as a hybrid entity. Government Employees Health Association, Inc. (“GEHA”) is a voluntary employee benefits association that provides benefits to its members, and some of those benefits meet the definition of a covered entity as a health plan under HIPAA.

The GEHA departments that perform functions in support of the health plans offered by GEHA (a “Covered Function”) must be designated and included in its HIPAA health care component. GEHA ultimately remains responsible for compliance with HIPAA regulations, but the HIPAA requirements apply only to those sections of GEHA designated as part of the health care component.

The following list of departments includes both those departments that perform Covered Functions and those that perform business associate functions for the health care components of GEHA.

Health Care Components:

1. Benefits section of Human Resources Department;
2. Clinical and Pharmacy Services;
3. Customer Care Center;
4. Dental Products;
5. Health Plan Business Operations;
6. Health Services;
7. Provider Data Management; and
8. The following departments, to the extent any personnel use and disclose protected health information in providing administrative and support services to the preceding health care components: Actuarial and Analytics; Analytic Solutions; Customer Experience; Enterprise Project Management Office & Vendor Management Office; Finance and Accounting; Information Technology; Internal Audit; Legal and Regulatory Compliance; Marketing; OPM Affairs; Product; Sales; Security & Risk; Strategy Planning; and SIU.

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