



**HYBRID ENTITY DESIGNATION FOR UNIVERSITY OF VIRGINIA
UNDER THE HIPAA PRIVACY RULE**

July 19, 2024

University of Virginia (the “University”) conducts both Covered and Non-Covered Functions and is eligible for treatment as a Hybrid Entity under the privacy regulations issued under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA Privacy Rule”). The University, therefore, has surveyed its divisions and activities to identify its Covered Functions and to designate its Health Care Components under the HIPAA Privacy Rule.

The University Compliance Office, the Office of University Counsel, and the University Medical Center Corporate Compliance and Privacy Office identify and confirm the following are and have been Covered Functions of the University under the provisions of the HIPAA Privacy Rule:

Covered (Health Care) Functions:

I. Covered Entity Components

All workforce of Covered Entity Components are subject to HIPAA.

- College at Wise – UVA Student and Employee Health Wise Clinic
- School of Education - Sheila C. Johnson Center for Human Services, excluding McGuffey Reading Services
- School of Medicine
- School of Nursing
- Student Health and Wellness *
- UVA Health Plan
- Medical Center

** While Student Health and Wellness is a ‘covered entity’ under HIPAA, the records it maintains are governed by FERPA and/or state law and are not ‘PHI’ under HIPAA; however, Student Health and Wellness is subject to the HIPAA Administrative Simplification provisions.*

II. Business Associate Components

Personnel of University departments and divisions, including those listed below, are Business Associate Components to the extent they provide Business Associate services (using or disclosing protected health information) to those University Covered Entity Components listed above, in the course of the Covered Entities’ health care provider treatment, payment and health care operations or health plan activities under HIPAA.

- Audit and Compliance
- Board of Visitors, including any applicable Committee members
- Center for Survey Research
- Environmental Health & Safety

- Facilities Management: Recycling and Surplus
- Human Resources: employees who support the Health Plan and Employee Relations staff who support Covered Entity Components
- Information Technology Services (ITS): Academic Division technical support for health care components and UVA Health Plan
- McCue Center
- Office for Equal Opportunity and Civil Rights
- Office of Vice President for Research (including Institutional Review Board for Health Sciences Research and Post Approval Monitoring Program)
- Office of the Executive Vice President and COO
- Office of the Executive Vice President for Health Affairs
- Office of the Executive Vice President and Provost
- Office of the President
- Office of the University Counsel
- Procurement & Supplier Diversity Services
- Property and Liability Risk Management
- Records and Information Management
- University Advancement (UVA Health) - fundraisers, IT staff
- University Communications
- University Health Foundation

Non-Covered Functions:

All divisions and activities of the University that are not explicitly designated as Covered Functions are designated as Non-Covered Functions of the University.

Affiliated Covered Entity (ACE)

Legally separate covered entities that are affiliated may designate themselves as a single covered entity for purposes of the HIPAA privacy rule. Under this affiliation, the organizations share one notice of privacy practices. To be an ACE, the separate covered entities **must be under common ownership or control**.

“**ACE**” – shall mean the “**Affiliated Covered Entities**” (as such term is defined in 45 C.F.R. §164.105(b)) consisting of:

1. The Covered Entity Components, including (a) UVA Medical Center (“UVAMC”); (b) UVA School of Medicine (“SOM”); (c) UVA School of Nursing (“SON”); and such other Covered Entity Components named as such in the University of Virginia’s Hybrid Entity Designation from time to time;
2. The Affiliated Covered Entities named in the University of Virginia’s Hybrid Entity Designation from time to time, including but not limited to UVA Imaging Center, LLC; UVA Northridge Community Medicine, LLC; UVA Health Surgical Care Riverside, formerly Monticello Community Surgery Center, LLC (“MCSC”);

3. The Covered Entity affiliates of UVA Community Health, Inc. (“UVACH”), including: (a) UVA Health Culpeper Medical Center; (b) UVA Health Prince William Medical Center; (c) UVA Prince William Medical Center d/b/a UVA Health Haymarket Medical Center; (d) UVA Community Health Medical Group, LLC; (e) UVA Outpatient Imaging Centreville, LLC; and (f) UVA Cancer Center Gainesville, LLC; and
4. Each of such entities’ respective Covered Entity operating entities, affiliates and subsidiary organizations, whether now existing or later created or acquired.

Organized Health Care Arrangement (OHCA)

Because many healthcare settings are clinically integrated but are separate legal entities **not commonly owned or controlled**, the HIPAA privacy rule also permits providers that typically provide healthcare to a common set of patients to designate themselves as an OHCA for purposes of HIPAA, which permits the use of a joint notice of privacy practices and provides the ability to share protected health information throughout the OHCA for treatment, payment, and healthcare operations.

“OHCA” – shall mean the Organized Health Care Arrangement (as such term defined in 45 C.F.R. §160.103) consisting of:

1. The entities that comprise the Health System’s ACE established pursuant to this Policy;
2. The University of Virginia Physicians Group (“UPG”); and
3. Such other non-controlled Covered Entities as may (i) participate in the UVAMC Epic electronic health record (“EHR”) or in other joint quality assurance or utilization review activities and/or share financial risk with one or more of the entities described above; and (ii) enter into an agreement with UVAMC pursuant to which such Covered Entities agree to hold themselves out as part of the Health System’s OHCA and to comply with the requirements of this Policy.

This designation is effective as of July 19, 2024.