

## GLOSSARY OF DEFINITIONS

**Business Associate.** A person or entity who on behalf of the Agency, but not in the capacity of a workforce member, performs or assists in the performance of a function or activity involving the use or disclosure of PHI; or provides legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation, or financial services involving disclosure of PHI.

**Correctional institution.** Any penal or correctional facility, jail, reformatory, detention center, work farm, halfway house, or residential community program center operated by, or under contract to, the United States, a State, a territory, a political subdivision of a State or territory, or an Indian tribe, for the confinement or rehabilitation of persons charged with or convicted of a criminal offense or other persons held in lawful custody. Other persons held in lawful custody includes juvenile offenders adjudicated delinquent, aliens detained awaiting deportation, persons committed to mental institutions through the criminal justice system, witnesses, or others awaiting charges or trial

**Covered Entity (CE).** A health plan, a health care clearinghouse, or a health care provider that transmits any health information in electronic form relating to any health care transaction.

**Covered functions.** Those functions of a covered entity the performance of which makes the entity a health plan, health care provider, or health care clearinghouse.

**Data aggregation.** With respect to protected health information created or received by a business associate in its capacity as the business associate of a covered entity, the combining of such protected health information by the business associate with the protected health information received by the business associate in its capacity as a business associate of another covered entity, to permit data analyses that relate to the health care operations of the respective covered entities.

**Designated Record Set.** A group of records maintained by or for a CE that is: the medical and billing records relating to an individual maintained by or for a health care provider; the enrollment, payment, claims adjudication, and case or medical management systems maintained by or for a health plan, or; used, in whole or in part, by or for a CE to make decisions about individuals.

**Disclosure.** The release, transfer, provision of access to, or the divulging in any other manner of information outside the agency holding the information.

**Health care.** Care, services, or supplies related to the health of an individual. Health care includes, but is not limited to, the following:

- (1) Preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care, and counseling, service, assessment, or procedure with respect to the physical or mental condition, or functional status, of an individual or that affects the structure or function of the body; and
- (2) Sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription

**Health care clearinghouse.** A public or private entity, including a billing service, repricing company, community health management information system or community health information system, and "value-added" networks and switches, that does either of the following functions:

**(1) Processes or facilitates the processing of health information received from another entity in a nonstandard format or containing nonstandard data content into standard data elements or a standard transaction.**

**(2) Receives a standard transaction from another entity and processes or facilitates the processing of health information into nonstandard format or nonstandard data content for the receiving entity.**

**Health information. Any information, whether oral or recorded in any form or medium, that:**

**(1) Is created or received by a health care provider, health plan, public health authority, employer, life insurer, school or university, or health care clearinghouse; and**

**(2) Relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual.**

**Health Oversight Agency. A governmental agency or authority, or a person or entity acting under a grant of authority from or a contract with such a public agency, including the employees or agents of the public agency, its contractors and those to whom it has granted authority, that is authorized by law to oversee the public or private health care system or government programs in which health information is necessary to determine eligibility or compliance.**

**Hybrid Entity. A single legal entity that is a CE whose covered functions are not its primary functions.**

**Indirect treatment relationship. A relationship between an individual and a health care provider in which:**

**(1) The health care provider delivers health care to the individual based on the orders of another health care provider; and**

**(2) The health care provider typically provides services or products, or reports the diagnosis or results associated with the health care, directly to another health care provider, who provides the services or products or reports to the individual.**

**Individually Identifiable Health Information.** Information that is a subset of health information, including demographic information collected from an individual, and that: (1) Is created or received by a health care provider, health plan, employer, or health care clearinghouse; and (2) Relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual, and (3) Which identifies the individual, or (4) With respect to which there is a reasonable basis to believe that the information can be used to identify the individual. Note: Individually identifiable health information is to be treated as protected health information.

**Personal Representative. A person who has authority under applicable law to make decisions related to health care on behalf of a patient/client.**

**Privacy Notice.** The notice of privacy practices relating to the agency's use and disclosure of PHI that is mandated under HIPAA regulations for distribution to all individuals whose information will be collected by or on behalf of the agency.

**Protected Health Information (PHI).** Individually identifiable information relating to past, present or future physical or mental health or condition of an individual, provision of health care to an individual, or the past, present or future payment for health care provided to an individual.

**Public Health Authority.** A governmental agency or authority, or a person or entity acting under a grant of authority from or a contract with such a public agency, including the employees or agents of the public agency, its contractors and those to whom it has granted authority, that is responsible for public health matters as part of its official mandate.

**Public Official.** An employee or agent of a governmental agency or authority, its contractors and those to whom it has granted authority, acting in their official capacity.

**Treatment, Payment and Health Care Operations (TPO).** Includes all of the following:

- **Treatment.** The provision, coordination, or management of health care and related services, consultation between providers relating to an individual, or referral of an individual to another provider for health care.
- **Payment.** Activities undertaken to obtain or provide reimbursement for health care, including determinations of eligibility or coverage, billing, collections activities, medical necessity determinations and utilization review.
- **Health Care Operations.** Includes functions such as quality assessment and improvement activities, reviewing competence or qualifications of health care professionals, conducting or arranging for medical review, legal services and auditing functions, business planning and development, and general business and administrative activities.

**Use.** With respect to individually identifiable health information, the sharing, employment, application, utilization, examination, or analysis of such information within an entity that maintains such information.

**Workforce Members.** Employees, volunteers, trainees, and other persons whose conduct, in the performance of work for the Agency, is under the direct control of the Agency, regardless of whether they are paid by the Agency.