



**OP 91.400 HEALTH INSURANCE PORTABILITY AND  
ACCOUNTABILITY ACT (HIPAA) HYBRID ENTITY DESIGNATION**

**PURPOSE**

To designate Mississippi State University (University) as a Hybrid Entity and designate its Health Care Components (HCCs), in accordance with 45 C.F.R. §§ 164.103 and 164.105, the Health Insurance Portability and Accountability Act (HIPAA), and the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH), collectively referred to herein as “HIPAA.”

**POLICY**

Mississippi State University is committed to protecting the confidentiality of protected health information (PHI) and in complying with State and Federal regulations regarding protected health information.

Mississippi State University is a public institution of higher learning which provides a wide array of educational programs and related services. Under HIPAA, a covered entity that is a single legal entity and conducts both covered and non-covered functions may elect to be a hybrid entity, with the result that HIPAA does not apply to the non-covered functions. To be a hybrid entity, the covered entity must identify its components that perform covered functions and designate these components as HCCs. Mississippi State University is a Hybrid Entity, as defined by and designated in accordance with this policy and HIPAA.

For purposes of designating the University as a Hybrid Entity, the HCCs of the University shall mean any part of the University that would meet the definition of a covered entity under the HIPAA regulations if such part of the University were a separate legal entity. The University designates the following as HCCs:

- The Longest Student Health Center
- Behavioral Health Clinic Subunit of the Department of Psychology
- Psychological, Applied Behavior Analysis (ABA) Services, and Early Intervention Services Subunits of the T.K. Martin Center for Technology and Disability

Additionally, the University designates the following as HCCs only to the extent they are receiving PHI from a designated HCC or performing the functions of a business associate of an HCC:

- Office of General Counsel
- Office of Compliance & Risk Management
- Office of Information Technology Services
- Office of Internal Audit

- Human Resources Management
- Treasury Services and Account Services Departments
- Such other units as appended to this list from time to time, in accordance with this Policy.

### **PROCEDURE**

Any department or unit not listed above that offers or considers offering health care related services must notify the Office of Compliance and Risk Management so that compliance with this policy can be assessed. The University, through the Office of the Provost and Executive Vice President, Office of Compliance & Risk Management, and the Office of General Counsel, will determine, by annual review and monitoring, which individual departments, clinics, or units of the University are considered HCCs.

All HCCs must comply with the relevant provisions of HIPAA. When University policies, procedures or guidelines refer to Mississippi State University as covered under HIPAA, they are referring to the HCCs listed above.

### **REVIEW**

This policy shall be reviewed in July every four (4) years, or as needed, by the Office of Compliance and Risk Management.

**REVIEWED BY:**

/s/ Regina Young Hyatt 02/07/2024  
Vice President for Student Affairs Date

/s/ David Shaw 02/08/2024  
Provost & Executive Vice President Date

/s/ Joy Graves 02/08/2024  
Risk and Compliance Officer Date

/s/ Tracey N. Baham 02/08/2024  
Associate Vice President, Institutional Strategy & Effectiveness Date

/s/ Joan Lucas 02/29/2024  
General Counsel Date

**APPROVED BY:**

/s/ Mark E. Keenum 03/25/2024  
President Date