



IOWA HEALTH
SYSTEM

Title: Affiliated Covered Entity

1.MR.17

Effective Date: 04/03; Rev: 04/05

POLICY: IHS affiliated Covered Entities will follow federal regulations when designating themselves as a single Covered Entity under HIPAA.

SCOPE: IHS system wide. All IHS and affiliate facilities that are Covered Entities under HIPAA including, but not limited to hospitals, ambulatory surgery centers, home care programs, physician practices and covered health plans.

BACKGROUND: The purpose of this policy is to comply with the Health Insurance Portability and Accountability Act of 1996 and the accompanying regulations (“HIPAA”).

PROCEDURE:

1. Definitions. All capitalized terms shall have the meaning assigned to them in Policy 1.MR.1, HIPAA – General Privacy Rules and Glossary, unless otherwise defined in this policy.
2. ACE Criteria. Separate Covered Entities may designate themselves as a single Affiliated Covered Entity (an “ACE”) if the Covered Entities are under common ownership or common control.
 - 2.1 Common ownership exists if an entity or entities possess an ownership or equity interest of five (5) percent or more in another entity.
 - 2.2 Common control exists if an entity has the power, directly or indirectly, to significantly influence or direct the actions or policies of another entity.
3. Designation/Documentation. The designation as an ACE must be documented and the documentation must be retained according to Policy 1.AD.3, Record Retention.
4. Effect of ACE Designation. Covered Entities that designate themselves as an ACE are considered one entity for the purposes of complying with HIPAA. For example, Covered Entities participating in an ACE:
 - 4.1 May designate one Privacy Officer. See Policy 1.CE.12, Privacy Officer.

- 4.2 May use one joint Notice of Privacy Practices and obtain one acknowledgement. See Policy 1.MR.8, Notice of Privacy Practices.
- 4.3 Do not need BA agreements between themselves. See Policy, 1.CE.13, Business Associates.
- 4.4 Must provide a joint accounting of disclosures. See Policy 1.MR.3, Accounting of Disclosures of Protected Health Information.
- 4.5 Are bound by restrictions on use or disclosure agreed to by any member of the ACE. See Policy 1.MR.4, Individual Request to Restrict Uses and Disclosures of Protected Health Information.

/s/ Samuel T. Wallace

Samuel T. Wallace
IHS President

REFERENCES: 45 C.F.R. § 164.504(d).