

DESIGNATION OF PEACE CORPS' HEALTH CARE COMPONENT FOR PURPOSES OF THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

This document describes those portions of the Peace Corps that are included in the “health care component” of the agency for purposes of the Health Insurance Portability and Accountability Act (HIPAA). According to the U.S. Department of Health and Human Services, the Peace Corps is a “hybrid entity” under HIPAA, because its activities include both “covered functions” under HIPAA, e.g., providing and/or paying the cost of medical care for Peace Corps Trainees and Volunteers, and a large number of other activities that do not involve provision of or payment for medical care or otherwise constitute “covered functions.” See 45 CFR 164.103. Thus, the Peace Corps is hereby designating the portions of the organization described below as its “health care component.” Id.

To the extent that any covered functions occur overseas, they are not subject to HIPAA, even though the same person (or a different person) doing the same function in the U.S. may be subject to HIPAA.

I. THE PEACE CORPS HIPAA HEALTH CARE COMPONENT

The Peace Corps Health Care Component includes the following portions of the agency to the extent that they are involved in covered functions:

- A. The Office of Volunteer Support, including the Office of Medical Services and the Office of Special Services.
- B. The Office of the General Counsel to the extent that it is providing legal advice or otherwise providing support to the Office of Volunteer Support or other portions of the Health Care Component relating to covered functions.
- C. Any other office or entity within the Peace Corps, to the extent that it is involved in covered functions under HIPAA or in supporting such functions.

II. RESPONSIBILITIES OF THE HEALTH CARE COMPONENT

Anyone in any of the portions of the Peace Corps that comprise the Health Care Component as described above who receives, maintains, creates or discloses protected health information, must do so in conformance with HIPAA requirements, as set forth in 45 CFR Parts 160 and 164, including ensuring that protected health information is not disclosed to anyone not authorized to receive it, and that any permitted disclosure is of the minimum amount of information necessary. This includes disclosures among those within the Health Care Component.

All those included within the Health Care Component must ensure that no protected health information in its possession is disclosed to anyone in the Peace Corps who is outside the Health Care Component unless such disclosure is authorized under HIPAA. Nor may such information be disclosed to anyone outside the Peace Corps unless such disclosure is authorized by HIPAA.

NOTE: In addition to HIPAA, which is applicable in the United States but not overseas, the Privacy Act, 5 USC 552a, is applicable to information in individually identified medical records, both in the U.S. and overseas.

Dated: October 2004