



## ORGANIZED HEALTH CARE ARRANGEMENTS

HIPAA Privacy ♦ July 2011

### *I. Supporting Policies for this Information Paper*

- A. The Health Insurance Portability and Accountability Act (HIPAA) of 1996 Privacy Rule (45 CFR 160.103) defines organized health care arrangements.
- B. The Department of Defense Health Information Privacy Regulation (DoD 6025.18-R, C3.3) implements the above part of the Privacy Rule regarding organized health care arrangements within the Military Health System (MHS).

### *II. Definitions Associated with Organized Health Care Arrangements*

- A. Covered Entity: A health plan or a healthcare provider within the MHS that transmits any health information in electronic form to carry out financial or administrative activities related to healthcare.
- B. Military Health System (MHS): All DoD health plans and all DoD healthcare providers that are, in the case of institutional providers, organized under the management authority of, or in the case of covered individual providers, assigned to or employed by TMA, the Army, the Navy, or the Air Force.
- C. Organized Health Care Arrangement: A relationship in which all covered entities are under the management authority of another entity. The MHS is an organized health care arrangement. It includes all DoD health plans and all DoD healthcare providers.
- D. Protected Health Information (PHI): Information that is created or received by a covered entity and relates to the past, present, or future physical or mental health of an individual; providing payment for healthcare to an individual; and can be used to identify the individual. It excludes health information in employment records held by a covered entity in its role as employer.

### *III. Guidance Regarding Organized Health Care Arrangements*

- A. DoD 6025.18-R identifies the MHS and the following entities within the MHS, including certain elements of the Coast Guard, as organized health care arrangements:

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1. Healthcare personnel and related assets of the Department of the Army under the Surgeon General of the Army and the U.S. Army Medical Command.
  2. Healthcare personnel and related assets of the Department of the Navy under the Surgeon General of the Navy and the Bureau of Medicine and Surgery.
  3. Healthcare personnel and related assets of the Department of the Air Force under the Surgeon General of the Air Force and the Air Force Medical Service.
    - a. Reserve personnel are not part of the organized health care arrangement unless activated and working within the organized health care arrangement.
  4. Providers under the control of the Coast Guard and under the Director, Health and Safety Directorate of the Coast Guard and the Coast Guard Health Care Program.
- B. The designation of the MHS as an organized health care arrangement allows the above components to exchange PHI among themselves for the purposes of treatment, payment, and healthcare operations as permitted under Chapter 4 of DoD 6025.18-R.
- C. Covered entities that participate in an organized health care arrangement are independently required to observe its obligations under the HIPAA Privacy Rule with respect to PHI. As with both the HIPAA Privacy and Security Rules, policies can be more protective at a lower level but cannot be less stringent.

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## DoD Organized Health Care Arrangements

### MHS

MTFs/DTFs  
DoD Health Plans  
All providers in MTFs/DTFs  
(Military, GS, or Contractor)  
All other non-MTF/DTF providers  
(i.e. shipboard, field medical units)

### Air Force

Air Force Medical Service  
Air Force Medical Support Agency  
MAJCOM Surgeon Directorates  
All healthcare personnel  
All healthcare related assets  
Individual Air Force providers not  
in MTFs/DTFs

### Army

Army Medical Command  
All healthcare personnel  
All healthcare related assets  
Individual Army providers not in  
MTFs/DTFs

### Navy

Bureau of Medicine and Surgery  
All healthcare personnel  
All healthcare related assets  
Individual Navy providers not in  
MTFs/DTFs

### Coast Guard

Coast Guard Health Care Program  
Coast Guard Providers  
Providers under the control of the  
Health and Safety Directorate of the  
Coast Guard

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