

SAN MATEO COUNTY
MENTAL HEALTH SERVICES DIVISION

DATE: August 13, 2003

MENTAL HEALTH POLICY NO.: MH 03-20

SUBJECT: Organized Health Care Arrangement (OHCA)

AUTHORITY: 45CFR Parts 160.103 (HIPAA)

SUPERSEDES: New Policy

APPLICABILITY: All independent licensed medical practitioners working, under the terms of a personal services contract, as part of the workforce of County owned or operated mental health sites

PURPOSE

To define an Organized Health Care Arrangement and describe those members of the Mental Health workforce to which it pertains.

DEFINITION

OHCA - An organized system of health care in which more than one covered entity participates, and in which the participating covered entities:

1. Hold themselves out to the public as participating in a joint arrangement; and
2. Participate in joint activities that include at least one of the following:
 - a. Utilization Review, in which health care decisions by participating covered entities are reviewed by other participating covered entities or by a third party on their behalf;
 - b. Quality assessment and improvement activities, in which treatment provided by participating covered entities is assessed by other participating covered entities or by a third party on their behalf;
 - c. Payment activities, if the financial risk for delivering health care is shared, in part or in whole, by participating covered entities through the joint arrangement and if protected health information created or received by a covered entity is reviewed by other participating covered entities for by a third party on their behalf for the purpose of administering the sharing of financial risk.

POLICY

The services of the independent provider in County Mental Health clinics are understood by the public to be a joint function along with employed health professionals, and the joint activities include a., b., and c., above. Therefore, the relationship meets the test of an OHCA as defined by HIPAA.

The effect of participating in an OHCA is that the Notice of Privacy defining the privacy policies of Mental Health Services will apply to all participants in the OHCA, and that independent contracting providers will not be required to create and distribute their own Notices of Privacy. Further, all OHCA participants will be required, as a condition of their contracts, to follow all HIPAA and compliance-related policies and procedures of San Mateo County Mental Health.

Approved: _____
Gale Bataille, Director
Mental Health Services Division