



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER 145470

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DATE: 7/1/2025

**SUBJECT: RECEIVE AND FILE TARRANT COUNTY PUBLIC HEALTH'S
DECLARATION OF HYBRID ENTITY STATUS AND DESIGNATION OF
HEALTH CARE COMPONENT**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioner Court receive and file Tarrant County Public Health's (TCPH) declaration of hybrid entity status and designation of health care component.

BACKGROUND

TCPH performs various clinical services and business operations for patients through clinics and programs in Tarrant County. These clinical services and business operations constitute covered functions under regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA) of 1996, specifically 45 CFR § 164.103. Due to such activities, TCPH is a covered entity under HIPAA, even though many other components of TCPH do not engage in covered functions.

With Court approval, TCPH would declare that it is a "hybrid entity" as defined in 45 CFR § 164.103, and designate the following business operations, departments, and/or divisions of TCPH as a part of the health care component of TCPH under 45 CFR § 164.105(a)(2)(iii)(D):

The Office of Clinical Services
The Medical Director's Office
North Texas Regional Laboratory
Business Solutions Division
Business Office Division

By making this declaration and designation, TCPH will continue to abide by the required provisions of HIPAA and ensure compliance across the covered entity. This Declaration and Designation will provide the appropriate legal structure and limit the liability exposure to the covered components of TCPH.

This Declaration and Designation shall remain in effect until revoked by the Court. TCPH shall maintain documentation of this Declaration and Designation for so long as TCPH is a hybrid entity, and for a period of six (6) years after TCPH ceases to be a hybrid entity.

The Criminal District Attorney's Office has approved this declaration as to form.

FISCAL IMPACT

SUBMITTED BY	Public Health	PREPARED BY:	Amanda Campbell
		APPROVED BY:	Dr. Brian Byrd



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There is no fiscal impact associated with this item; however, this Declaration and Designation does limit the liability exposure to the covered components of TCPH.



Public Health

W. BRIAN BYRD, M.D., Local Health Authority & Health Director

CATHERINE A. COLQUITT, M.D., Medical Director

DECLARATION BY TARRANT COUNTY PUBLIC HEALTH OF HYBRID ENTITY STATUS AND DESIGNATION OF HEALTH CARE COMPONENT

Certain business operations, departments, and/or divisions of Tarrant County Public Health (“TCPH”) engage in activities that constitute “covered functions” under regulations promulgated pursuant to the Health Insurance Portability and Accountability Act of 1996, as amended (“HIPAA”), specifically 45 CFR § 164.103. Due to such activities, TCPH is a “covered entity” under HIPAA, even though many other components of TCPH do not engage in covered functions. TCPH hereby declares that it is a “hybrid entity” as defined in 45 CFR § 164.103, and hereby designates the following business operations, departments, and/or divisions of TCPH as a part of the “health care component” of TCPH pursuant to 45 CFR § 164.105(a)(2)(iii)(D):

**The Office of Clinical Services
North Texas Regional Laboratory
The Medical Director’s Office
Business Solutions Division
Business Office Division**

The entities listed above (the “Health Care Component”) are the only operations, departments, and/or divisions of TCPH that are engaged in activities that would be considered “covered functions” under 45 CFR § 164.103, and thus shall abide by all applicable provisions of HIPAA. All other operations, departments, and/or divisions of TCPH shall not be considered part of the health care component of TCPH, and therefore shall not be required to comply with the provisions of HIPAA.

TCPH agrees that the Health Care Component will treat the remaining operations, departments, and /or divisions of TCPH as if they were a separate entity for purposes of HIPAA, and shall not disclose protected health information (as defined in HIPAA) to any other component, and will protect electronic protected health information (as defined in HIPAA) with respect to any other component, except as would be expressly permitted by HIPAA if the components were separate legal entities. Any person who is a workforce member of both the Health Care Component and any other component of TCPH must not use or disclose protected health information received in the course of his/her work for the Health Care Component in a manner prohibited by HIPAA.

TCPH shall enter into a business associate agreement with respect to the Health Care Component where appropriate under HIPAA, including with respect to any services provided to the Health Care Component by any other component of TCPH, as if such other component were a separate entity.

This Declaration and Designation shall remain in effect until revoked by TCPH. TCPH shall maintain documentation of this Declaration and Designation for so long as TCPH is a hybrid entity, and for a period of six (6) years after TCPH ceases to be a hybrid entity.