

MARVIN J. SOUTHARD, D.S.W.
Director

ROBIN KAY, Ph.D.
Chief Deputy Director

RODERICK SHANER, M.D.
Medical Director



GLORIA MOLINA
MARK RIDLEY-THOMAS
ZEV YAROSLAVSKY
DON KNABE
MICHAEL D. ANTONOVICH

February 2, 2010

TO: Dear Prospective Proposer

FROM: Integrated Behavioral Health Information System Project

SUBJECT: **CONTRACTOR'S OBLIGATION AS A BUSINESS ASSOCIATE UNDER THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 AND THE HEALTH INFORMATION TECHNOLOGY FOR ECONOMIC AND CLINICAL HEALTH ACT**

Please be advised that effective February 17, 2010, the Health Information Technology for Economic and Clinical Health (HITECH) Act, Title XIII and Title IV of Division B of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-005) requires that certain provisions of the HIPAA Privacy and Security Regulations apply to Business Associates in the same manner as they apply to covered entities, such as the County, and such provisions must be incorporated into the Business Associate Agreement.

Please note that it may be necessary to further amend the Business Associate Agreement as final regulations have yet to be promulgated by the Secretary of the United States Department of Health and Human Services.

All applicable amended documents for this notice have been posted to the DMH IBHIS RFP website at: <http://dmh.lacounty.gov/ibhis/addendums.html> as Addendum Number Two to RFP #DMH-1109B2.

"To Enrich Lives Through Effective And Caring Service"