

Response to Questions on the FY 2010 Advertised Budget Plan

Request By: Supervisor Herrity

Question: What are the specific duties of the Health Promotion and Privacy Coordinator? What direct benefit does this position provide to the citizens of Fairfax County? What other options are available for these functions to be performed? What are the costs of this position as well as any related overhead costs?

Response: The Health Promotion and Privacy Coordinator manages and coordinates the activities associated with two County-wide programs, the HIPAA Compliance Program and Live Well Workforce Wellness Program. The position is established as a matrix management function and all compliance responsibilities and activities of the two programs are centrally coordinated by the 1.0 SYE Health Promotion and Privacy Coordinator position. The HIPAA compliance responsibilities were established in FY 2002 to address the administrative requirements of the Federally mandated Health Insurance Portability and Accountability Act (HIPAA, 45 CFR Section 164.530) that (1) requires the county to designate a privacy official responsible for the development and implementation of the policies and procedures of the County and its agencies and (2) serve as the designated contact person or office who is responsible for receiving complaints and provide information about the County's privacy practices. Additional HIPAA duties of the position include compliance responsibilities associated with HIPAA's privacy, security, transactions, identifier and enforcement rules contained within the Administrative Simplification title and the HIPAA amendments contained within Sections 13400-13424 the American Recovery and Reinvestment Act of 2009.

The Health Promotion and Wellness Initiative was funded in FY 2009 to improve employee productivity and reduce health care costs. To avoid the creation of an additional County position, the Health Promotion and Privacy Coordinator position was established by expanding the duties of the existing HIPAA Compliance Manager Position to include the coordination and implementation responsibilities of the Health Promotion and Wellness Initiative (renamed the Live Well Workforce Wellness Program). As presented to the Board Personnel and Reorganization Committee in October 2008, the Live Well Program activities of the coordinator position directly benefit residents through the support of healthier county employees incurring less self funded health insurance claims and more productive county employees on the job and available to provide services to residents.

The coordinator position's privacy role directly benefits the citizens of Fairfax County by implementing and monitoring multiple County agencies' compliance with health information privacy, data security, and administrative billing standards. The coordinator position receives and investigates agency violations and resident complaints in order to develop corrective action plans, amend policies and revise training to ensure the protection of resident health information. The coordinator position serves as a resource to support multi-agency operational efficiencies when the delivery of health care services to residents or public safety activities can be positively or negatively impacted by HIPAA provisions.

The Health Promotion and Privacy Coordinator position is a unique position serving two programs. Although the privacy officer responsibility cannot legally be eliminated, other options available for the HIPAA functions would be to decentralize compliance through the expansion of duties of agency positions designated to assist with HIPAA compliance and an increase in responsibilities of the Office of the County Attorney to conduct routine regulatory interpretation of the HIPAA provisions. Other options for the health promotion program oversight are limited as resources to coordinate the program involve multiple agencies and contractors.

The FY 2010 cost of this S-33 merit position is estimated at \$119,791.