



SEP 11 2023

AGENDA PLACEMENT FORM

(Submission Deadline – Monday, 5:00 PM before Regular Court Meetings)

Approved

Date: _____

Meeting Date: 9/11/2023

Submitted By: _____

Department/Office: CJO

Signature of Director/Official: _____

Agenda Title:

Approve and Ratify Amendment to Claim Administrator/Business Associate Agreement

Public Description (Description should be 2-4 sentences explaining to the Court and the public what action is recommended and why it is necessary):

(May attach additional sheets if necessary)

Person to Present: _____

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) PUBLIC CONFIDENTIAL

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: _____ minutes

Session Requested: Consent (Action Item, Workshop, Consent, Executive)

Check All Departments That Have Been Notified:

County Attorney IT Purchasing Auditor

Personnel Public Works Facilities Management

Other Department/Official (list) _____

Please Inter-Office All Original Documents to County Judge’s Office Prior to Deadline & List All External Persons Who Need a Copy of Signed Documents In Your Submission Email

AMENDMENT TO CLAIM ADMINISTRATOR/BUSINESS ASSOCIATE AGREEMENT

This "Amendment" is entered into by Blue Cross and Blue Shield of Texas (BCBSTX), a Division of Health Care Service Corporation, a Mutual Legal Reserve Company ("Claim Administrator/Business Associate") and COUNTY OF JOHNSON on behalf of their Group Health Plan ("GHP") collectively the "Parties" and amends the current Business Associate Agreement between the Parties.

This Amendment addresses the request made by GHP that BCBSTX release an unmasked data file ("Data File") containing Protected Health Information (PHI) that contains sensitive diagnosis information that may have additional protections under state or federal law or regulation, including information related to substance abuse and mental health services. The Data File will be released to the GHP or the GHP's vendor(s) ("Vendor") that is contracted to provide services on behalf of the Self-Funded Group GHP. GHP further acknowledges that the Vendor is a Business Associate of GHP. This amendment is effective on the date executed by GHP as a Covered Entity.

The parties further agree that this Amendment serves as the written authorization from the GHP to release the Data File. This amendment must be executed before any data can be released. The GHP further acknowledges that any employees of the GHP or the Vendor authorized to receive the Data File must be listed on the Additional Information Form of the Business Associate Agreement ("Additional Information Form") between GHP and BCBSTX. The authorized representative of the above GHP acknowledges and agrees to the following:

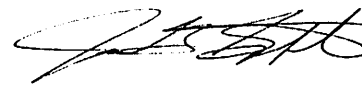
- BCBSTX is requested to release the Data File at the Employer's sole direction as the data owner, as between the GHP and BCBSTX, to the extent set forth in the relevant agreements between BCBSTX and GHP.
- GHP has determined the Minimum Necessary data under the Health Insurance Portability and Accountability Act of 1996 as amended and its implementing rules and regulations (HIPAA).
- As noted above, the Data File includes certain sensitive diagnosis information that may have additional protections under state or federal laws and regulations, including information related to substance abuse and mental health services. The GHP is responsible for compliance with any applicable state or federal laws and regulations that provide protections to the sensitive diagnosis information.
- The Data File may only be used for purposes permitted under HIPAA and any applicable state or federal laws and regulations. GHP, Employer and Vendor are each solely responsible for its Data File use.
- In addition to the GHP's obligations under the BAA or other relevant agreements, GHP agrees, subject to the limitations of the Texas Constitution and the Texas Tort Claims Act, to indemnify, defend and hold harmless BCBSTX, its directors, officers, agents, employees and related entities for claims, damages, losses, attorney's fees or expenses arising from the Data File release or use
- This Amendment is effective as long as the GHP directs BCBSTX to release the Data File. GHP is responsible for updating the Additional Information Form when the Data File should no longer be released; BCBSTX requires sixty (60) days notice before discontinuing release of the file to Vendor.

IN WITNESS WHEREOF, the Parties hereto have authorized this Amendment to be executed.

COUNTY OF JOHNSON
Employer (or Plan Sponsor) and
Employer on behalf of its Group Health
Plan, the Covered Entity

Blue Cross and Blue Shield of Texas
a Division of Health Care Service Corporation
a Mutual Legal Reserve Company, the
Claim Administrator

Signature: 

Signature: 

Printed Name: Randy Gillespie

Printed Name: Jim Springfield

Title: Personnel Director

Title: Texas Plan President

Date: 8/31/2023

Date: 8/30/2023

BCBSTX Account Number: TX369192