

## **MINUTES OF SIOUX COUNTY BOARD OF SUPERVISORS**

### **MEETING HELD ON MARCH 25, 2003**

The Board of Supervisors of Sioux County, Iowa, met pursuant to adjournment at 9:30 o'clock a.m. with Chairman Mark Sybesma presiding. Members present were Loren Bouma, Vernon Beernink, Mark Sybesma, Bernard L. Smith and Stanley L. De Haan.

Minutes of March 11, 2003 were read and on motion and vote stand approved as read.

Committee reports were given this date.

Melissa O'Rourke, County Attorney, met with the Board this date to report on the Sioux County Attorney's office caseload. She also requested approval and a Chairman's signature on the STOP Violence Against Women and Crime Victim Assistance Program grant applications in a total amount of \$47,249.66.

Marla McGill, County Victim Witness Coordinator, met with the Board this date to report on her caseload and related responsibilities.

Motion by Smith and supported by De Haan to approve and authorize the Chairman to sign the STOP Violence Against Women and Crime Victim Assistance Program grant applications in a total amount of \$47,249.66 for fiscal year 2004. Carried, unanimous in favor.

Dennis Lange, County Auditor, reported that the following school districts located within Sioux County have filed motions approving resolutions requesting the question of imposing a local option school infrastructure sales and service tax to be submitted to the registered voters in Sioux County on June 10, 2003:

Boyden-Hull Community School District  
MOC-Floyd Valley Community School District  
Rock Valley Community School District  
Sheldon Community School District  
Sioux Center Community School District  
West Sioux Community School District

Motion by Bouma and supported by Beernink to accept the filed motions approving resolutions from six school districts located within Sioux County requesting the question of imposing a local option school infrastructure sales and service tax to be submitted to the registered voters in Sioux County on June 10, 2003 and to authorize the County Auditor to proceed with a special countywide election on said public measure on June 10, 2003. Carried, unanimous in favor.

Randy Waterman, County Deputy Sheriff, met with the Board this date to request approval and a Chairman's signature on an Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program application in a total amount of \$65,984.00. He also reported on drug arrest and drug confiscation statistics from the Northwest Iowa Drug Task Force for years 1987 and 2002.

Motion by Beernink and supported by De Haan to approve and authorize the Chairman to sign an Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program application in a total amount of \$65,984.00. Carried, unanimous in favor.

Motion by Bouma and supported by Smith to approve and authorize the Chairman to sign a Renewal License for Off-Premise Liquor, Wine or Beer Permit Application for the Direct Liquor Store of Hull. Carried, unanimous in favor.

Doug Julius, County Engineer, met with the Board this date to request approval and a Chairman's signature on various documents.

Motion by De Haan and supported by Bouma to approve and authorize the Chairman to sign the following documents:

Iowa Department of Transportation Voucher for materials inspection costs in a total amount of \$701.33.

Permit Agreement with Rock Valley Rural Water System of Rock Valley for road right-of-way crossings in Sections 20 and 21 of Plato Township.

Permit Agreement with Rock Valley Rural Water System of Rock Valley for road right-of-way crossings in Sections 12 and 13 of Settlers Township.

Sioux County Title sheets for Project Numbers BROS-CO84(104)--8J-84; L-1-2003--73-84; L-2-2003--73-84; L-3-2003--73-84; and L-4-2003--73-84.

Certificate of Appreciation for Kevin G. Tesch for his outstanding service and contributions to Sioux County for sixteen years of service.

Carried, unanimous in favor.

Doug Julius, County Engineer, reviewed the proposed Sioux County Secondary Road

Five Year Construction Program covering the following construction areas:

Grading and Widening

Resurfacing and Paving

Bridges

Culverts and Extensions

PCC Rehabilitation, Railroad Improvement and Bridge Overlay

Motion by De Haan and supported by Beernink to appoint Mark Dunlop, County Emergency Management Services Director and Zoning Administrator, as Sioux County's designee to accompany the Iowa Department of Natural Resources on the investigation of any site as a result of agriculturally related complaints or site surveys in Sioux County. Carried, unanimous in favor.

Shane Walter, County Community Services Director, met with the Board this date to review and request approval on various proposed Sioux County privacy policies and procedures for Health Insurance Portability and Accountability Act of 1996 "HIPAA" as amended in August 2002.

Motion by Bouma and supported by De Haan to approve and authorize the Chairman to sign the following Resolution Adopting the Health Insurance and Portability & Accountability Act of 1996 (HIPAA) and Designating HIPAA Compliance:

**RESOLUTION NO. 2003-05**

RESOLUTION ADOPTING THE  
HEALTH INSURANCE PORTABILITY  
& ACCOUNTABILITY ACT OF 1996 (HIPAA)  
AND DESIGNATING HIPAA COMPLIANCE

WHEREAS The United States legislature enacted the Health Insurance Portability & Accountability Act of 1996, (HIPAA), creating regulations concerning how covered entities handle health information; and,

WHEREAS Sioux County falls under the definition of a covered entity and the County handles health information; and,

WHEREAS Sioux County should be designated as a Hybrid Entity under HIPAA; and,

WHEREAS the Sioux County offices of the Attorney, Auditor, Community Services, Sheriff, Board of Supervisors and Veteran's Affairs should be designated as health care components of the Hybrid Entity and are subject to and regulated by HIPAA; and,

WHEREAS the County Offices of the Assessor, Conservation Board, Emergency Management/Zoning, Engineer, Recorder and Treasurer should be designated as non-health care components of the Hybrid entity and are not subject to and regulated by HIPAA; and,

WHEREAS the County employees required to complete HIPAA Awareness Training shall have completed said training prior to April 14, 2003; and,

WHEREAS the County Offices subject to HIPAA will comply with the privacy portion of HIPAA on or before April 14, 2003.

NOW THEREFORE the Sioux County Board of Supervisors resolve to designate Sioux County as a Hybrid Covered Entity under the Health Insurance Portability & Accountability Act of 1996 (HIPAA).

BE IT FURTHER RESOLVED that the Sioux County Board of Supervisors resolve to designate the County Offices of the Attorney, Auditor, Community Services, Board of Supervisors, Sheriff and Veteran's Affairs as health care components of the Hybrid Covered Entity under the Health Insurance Portability & Accountability Act of 1996 (HIPAA).

BE IT FURTHER RESOLVED that the Sioux County Board of Supervisors resolve to designate the County Offices of the Assessor, Conservation, Emergency Management/Zoning, Engineer, Recorder, and Treasurer as non-health care components of the Hybrid Covered Entity under the Health Insurance Portability & Accountability Act of 1996 (HIPAA).

BE IT FURTHER RESOLVED that the Sioux County Board of Supervisors resolve that the County Employees required by the Health Insurance Portability & Accountability Act of 1996 (HIPAA) to complete HIPAA Awareness Training shall have said training completed prior to April 14, 2003.

BE IT FURTHER RESOLVED that the Sioux County Board of Supervisors resolve that all County Offices subject to the Health Insurance Portability & Accountability Act of 1996 (HIPAA) be in compliance with the Privacy Portion of HIPAA prior to April 14, 2003.

Signed and adopted this 25<sup>th</sup> day March, 2003.

/s/ Mark Sybesma, Chairman  
Sioux County Board of Supervisors

ATTEST: /s/ Dennis Lange  
Sioux County Auditor

Roll Call on Vote: Bouma, Yes; Beernink, Yes; Sybesma, Yes; Smith, Yes; and De Haan, Yes.

Carried, unanimous in favor.

Motion by Bouma and supported by Beernink to approve the following Sioux County privacy policies and procedures for Health Insurance Portability and Accountability Act of 1996 "HIPAA" as amended in August 2002:

Uses and Disclosures of Personal Health Information (PHI): "What the County Can Disclose"  
Uses and Disclosures of Personal Health Information (PHI): "To Whom the County May Disclose"  
Authorizations  
Authorizations Requiring an Opportunity to Object  
Authorizations That Do Not Require an Opportunity to Object  
Minimum Necessary Standard  
Verification  
Individual Rights  
Right to Notice of Privacy Rights  
Right to Access  
Right to Request Amendments  
Request for Privacy  
Accounting for Disclosures  
Business Associate Agreements  
Workforce Confidentiality  
Compliance Violations  
Administrative Requirements  
Designation as Hybrid Entity  
Personnel Designation  
Violation Sanctions

Carried, unanimous in favor.

Motion by Bouma and supported by Beernink to appoint Shane Walter, County Community Services Director, as Sioux County's Health Insurance Portability and Accountability Act "HIPAA" compliance officer to administer sanctions against county employees who violate any Sioux County privacy policies and procedures effective April 14, 2003. Carried, unanimous in favor.

Motion by Beernink and supported by Smith to approve and authorize the Chairman to sign a Partial Self-funded Contract Amendment and Renewal between Sioux County and Wellmark/Blue Cross-Blue Shield for 2003. Carried, unanimous in favor.

The Board approved payment of claims as presented by the County Auditor from all departments this date.

The Chairman adjourned the meeting until Tuesday, April 1, 2003.

Mark Sybesma, Chairman  
Sioux County Board of Supervisors

ATTEST: Dennis Lange  
Sioux County Auditor