

<p>WEBER HUMAN SERVICES</p> <p style="text-align: center;">Policy & Procedure</p> <p style="text-align: center;">HIPAA / PRIVACY BUSINESS ASSOCIATE AGREEMENT</p>	<p>NUMBER</p> <p>23</p>
	<p>APPROVED</p> <p>2/21/2014</p>
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	<p>REVISED</p>

POLICY:

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) limits the use and disclosure of Protected Health Information (PHI). It is the policy of Weber Human Services (WHS) to obtain a signed Business Associate Agreement from any business, vendor or service provider that will have access PHI.

PURPOSE :

The Privacy Rule requires that a Covered Entity obtain satisfactory assurances from its business associates that the business associate will only use the information for the purposes for which it was engaged and to appropriately safeguard the protected health information it will receive view, access, use, disclose or create on behalf of WHS. Workforce members of WHS shall not share PHI with a service provider, business, vendor or non-workforce member until a fully executed Business Associate Agreement (BAA) is obtained.

The purpose of this policy is to describe how WHS will identify business associates among the person or entities including businesses, service providers or vendors that may receive, view, access, use, disclose or create PHI. For those identified as business associates, WHS will obtain a signed Business Associate Agreement pursuant to the HIPAA privacy regulations.

PROCEDURES:

1. Each vendor or service provider that may receive, view, access, use, disclose or create PHI from WHS must enter into a business associate agreement in which it is obligated to protect the privacy and confidentiality of such information in accordance with the HIPAA privacy regulations.
2. Examples of activities that require a business associate addendum agreement include:
 - Claims processing or administration
 - Data analysis, processing or administration
 - Billing
 - Practice management
 - Accreditation services

- Legal services
 - Quality assurance
 - Information system/application management or repair
3. The workforce member or department that establishes a business agreement addendum with an entity or organization is responsible for obtaining satisfactory assurances in the form of a BAA that they will comply with all regulated requirements to assure the confidentiality and security of the PHI.
 4. Each department, program or provider is responsible for identifying any party outside of WHS that may access, use, disclose, view or create PHI from WHS. If the business, service provider or vendor will have access to PHI, the department, program or provider will request that they sign the Business Associate Agreement. The BAA is available in the Compliance Office.

All signed Business Associate Agreements shall be given to the Compliance Office for final signature and approval. The signed agreement will be provided to the Business Associate and a copy will be maintained in the Risk Management Office

5. Procurement will identify any agreements, contracts or other business arrangements that may include the use, access or disclosure of protected health information and verify that there is a signed BAA. Payment will not be processed until a fully executed BAA is provided to Procurement.