

TITLE: Business Associate Addendum

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 Columbia University Medical Center (CUMC) to obtain a signed Business Associate Addendum 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 CUMC. Workforce members of CUMC shall not share PHI with a service provider, business, vendor or non-workforce member until a fully executed Business Associate Addendum (BAA) is obtained.

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

PROCEDURES:

1. Each vendor or service provider that may receive , view, access, use, disclose or create PHI from CUMC must enter into a business associate addendum 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 associate 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 CUMC that may access, use, disclose, view or create PHI from CUMC. 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 Addendum. The BAA is available in the Office of HIPAA Compliance, through the Procurement Office or on the HIPAA website at <http://www.cumc.columbia.edu/hipaa>

All signed Business Associate Addendums shall be submitted to the Office of HIPAA Compliance for final signature and approval. The signed agreement will be provided to the data owner at CUMC, the Business Associate and a copy will be maintained in the Office of HIPAA Compliance.

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.

DEFINITIONS

Protected Health Information is information, (i) which is created or received by a healthcare provider, health plan, public health authority, employer, life insurer, school or university, or healthcare clearinghouse; about a patient and (ii) including demographic information that may identify a patient that relates to the patient's past, present or future physical or mental health or condition, related health care services or payment for health care services.

Business Associate – a person or entity that performs certain function or activities that involve the use or disclose of protected health information on behalf of the Medical Center. This includes claims processing or other administrative activities e.g. data analysis or processing, utilization review, quality assurance, billing or benefit management. In addition Business Associate also includes persons or entities that provide legal, actuarial, consulting management, administrative or other financial services to the Medical Center.

RESPONSIBILITY: HIPAA Compliance, Departments, Procurement

ISSUED: February 2010
REVISED: November 2011