Name of Policy: Business associate agreement

StotopleddHybrid and affiliated covered entity of University

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considered a workforce member of a designated healthcare component of the university for purposes of HIPAA.

- (a) It is the responsibility of the university department with the business associate relationship to ensure that an appropriate business associate agreement is fully executed between the university and the business associate prior to the business associate receiving or gaining any access to PHI.
- (b) The business associate agreement must be approved by the office of legal affairs in compliance with the University's policy 3364-10-14 Contract review and approval process.
- (c) The business associate agreement signature authority is incorporated into the university's policy 3364-40-08 Delegation of signm5n4 (u)6 (re][ig)2)] To 0 [9] 7td(-)3.5.005 Tc -0po Tcu0 ()] Tc 0 T f/0 BDC -0.0

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associate of another covered entity for non-treatment functions and activities, and will be bound by the contractual assurances it gave as part of that relationship.

- (b) The business associate requirements do **not** apply to:
  - (i) Disclosures to the plan sponsor by a group health plan, or a health insurance issuer or health maintenance organization (HMO) with respect to a group health plan (if other requirements are met); nor to
  - (ii) The collection and sharing of PHI by a health plan that is a public benefits program and an agency other than the agency administering the health plan, in order to determine eligibility or enrollment.
- (6) Other arrangements
  - (a) If the covered entity and the business associate are both governmental entities, the covered bentity may disclose PH(ispaisb)10 (ti)4 t

received by the business associate in its capacity as a business associate to the covered entity, if necessary:

(a) For the proper management and administration of the business associate; or

(b)