

Examples of Business Associates

EXAMPLES OF BUSINESS ARRANGEMENTS THAT MAY INVOLVE DISCLOSURE OF PHI & REQUIRE A BUSINESS ASSOCIATE AGREEMENT

Accrediting/Licensing Agencies (e.g., TJC)
Accounting Consultants/Vendors
Actuarial Consultants/Vendors
Agents/Contractors creating, receiving, maintaining, transmitting, accessing, using or disclosing PHI (e.g., Consultants)
Application Service Providers (e.g., prescription mgmt.)
Attorneys/Legal Counsel
Auditors
Benchmarking Organizations
Claims Processing/Clearinghouse Agency Contracts
Coding Vendor Contracts
Collection Agency Contracts
Computer Hardware Contracts
Computer Software Contracts
Consultants/Consulting Firms
Data Analysis Consultants/Vendors
Data Transmission Providers (PHI involved)
Data Warehouse Contracts
E-Prescribing Gateway
Health Information Exchange Organizations
Hospitalist Contracts
Insurance Contracts (e.g., Coverage for Risk, Malpractice, etc.)
Interpreter Service Contracts
IT/IS Vendors
Legal Services Contracts
Medical Staff Credentialing Software Contracts
Microfilming Vendor Contracts
Optical Disc Conversion Contracts

Pathology Services Contracts
Paper Recycling Contracts
Patient Satisfaction Survey Contracts
Physician Billing Services
Physician Contracts (non-employed providers)
Practice Management Consultants/Vendors
Professional Services Contracts (e.g., Medical Directors)
Quality Assurance Consultants/Vendors
Radiology Services Contracts
Record Copying Service Vendor Contracts
Record Storage Vendors
Release of Information Service Vendor Contracts
Repair Contractors of Devices Containing PHI
Revenue Enhancement/DRG Optimization Contracts
Risk Management Consulting Vendor Contracts
Shared Service/Joint Venture Contracts with Other Healthcare Organizations (No PHI involved)
Statement Outsource Vendors
Telemedicine Program Contracts
Third Party Administrators
Transcription Vendor Contracts
Waste Disposal Contracts (e.g., Hauling, Shredding)

NOT BUSINESS ASSOCIATES

EXAMPLES OF ARRANGEMENTS THAT ARE NOT BUSINESS ASSOCIATE RELATIONSHIPS AND DO NOT REQUIRE A BUSINESS ASSOCIATE AGREEMENT

Banks Processing Credit Card Payments
Blood Bank/Red Cross (Provider)
Clinics (Provider Relationships)
Courier Services Delivering Specimens
Device Manufacturers require PHI to produce
pacemakers, hearing aids, glasses, etc. (Treatment)
Cleaning/Janitorial Services
DME Equipment for treatment purposes
Educational/School Programs (student privacy
education required as workforce member)
Health Plans Contracting With Network Providers
(Covered Entity to Covered Entity)
Health Plans for Purposes of Payment
Hospitals
Housekeeping/Environmental Services (Incidental)
Infusion provider for treatment
Law enforcement agencies
Members of an Affiliated Covered Entity
Members of Organized Health Care
Arrangement (OHCA)

Nursing Homes
Organ Procurement Organizations
Pharmacy (Healthcare Provider/Treatment)
Providers (Involved in Care & Treatment of Patient)
Rental Employee Agencies (No PHI Shared –
Employees Need Privacy Training)
Repair Contractors (Maintenance, Copy Machine,
Plumbing, Electricity, etc. – No PHI involved)
School Health Nurses
Supply Services
Support Services Agreements for
Tissue Banks
U.S. Post Office and other couriers
Volunteers (board members, ethics committee
members, IRB members, etc.)