
HIPAA Privacy/Security – Business Associates AD.HPS10

POLICY:

A contract or contract addendum with a hospice business associate is signed before the business associate is allowed to create, receive, maintain, or transmit protected health information (PHI) on behalf of Lifesong Hospice and Palliative Care.

DEFINITION:

Business associate – Any person or entity that creates, receives, maintains or transmits protected health information on behalf of the hospice or performs a service for the hospice. A business associate may not use or disclose protected health information in a manner not permitted by HIPAA regulations.

PROCEDURE:

1. Existing and new relationships with non-members of the hospice’s workforce are reviewed to determine if a business associate relationship exists.
2. Business associates that use, disclose, create, receive, maintain or transmit protected health information on behalf of Lifesong Hospice and Palliative Care are required to sign a written contract that assures that the business associate is aware of its responsibilities with regard to PHI and compliance with HIPAA regulations.
3. Lifesong Hospice and Palliative Care relies on the business associate to determine the type and the minimum necessary amount of protected health information needed for their purposes.
4. Business associates are aware of their obligations and the obligations of their subcontractors to comply with the applicable standards of the HIPAA Privacy Rule, the HIPAA Security Rule and the Breach Notification Rule.
5. Business associates are required to report to the hospice any privacy violation, security incident or breach of unsecured protected health information within two (2) business days of business associate’s discovery of the violation, incident or breach.
6. The Privacy Officer will monitor the return or destruction of the protected health information used, created or obtained by the business associate upon termination of the contract.
7. Known violations of a material term of the contract or contract addendum may result in termination of the business associate relationship.

Created:	Reviewed:	Revised:	Effective:
09/2018	11/2018		4/2019