 <p>Heritage Provider Network & Affiliated Medical Groups</p>	Program: HIPAA Compliance			
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	Authored by: Compliance Sub Committee	Date: 01/01/2012	Revised by: Sandy Finley	Date: 02/02/2015
	Approved by: Compliance Committee	Date: 02/02/2015		
Title of Policy: HIPAA Compliance as it Relates to Business Associates				

PURPOSE:

To ensure that all Business Associates provide satisfactory assurances that they comply with the HIPAA standards for privacy of individually identifiable health information to the same extent that Heritage Provider Network and its Affiliated Medical Group as a Covered Entity would be required to comply.

POLICY:

Each Business Associate meeting the following criteria must have an executed Business Associate Agreement on file or Business Associate language incorporated into their agreement when executed after April 14, 2003.

Business Associate criteria:

1. Are not employees of the Medical Group.
2. Act on behalf of the Medical Group or assist in the performance of a function or activity involving the use or disclosure of Protected Health Information (PHI).
3. Individuals or entities that receive protected health information in the course of providing legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation, or financial services to the Medical Group.


The Business Associate Agreement provisions do not authorize the Business Associate to use or further disclose PHI in any manner that would violate HIPAA.

Disclosures to Business Associates are subject to the minimum necessary rule.

RESPONSIBILITY:

Compliance Officer, Corporate Compliance Officer and Contracting Managers

PROCEDURE:

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Business Associates Agreement provisions must establish the following:

1. Business Associates will comply with Policies regarding Protected Health Information
2. Comply with the Policy regarding HIPAA Minimum Necessary Data Request and Disclosure.
3. Provisions for the return, destruction, or continued protection of all PHI received by the Business Associate on behalf of the Medical Group including all sub-contractors or agents of the Business Associate upon termination of its business relationship; and that no copy shall be retained by Business Associate.
4. Provisions for the protection of PHI to survive the termination of the Agreement with the Business Associate.


Execution and Maintenance of Agreements

1. Business Associate Agreements will be executed for all Business Associates and maintained on file for the duration of our business relationship.
2. Department Heads, Managers, and Supervisors are responsible for completing the Business Associate Inventory and sending this information to Administration for Business Associate Agreement processing.
3. A Master List of all Business Associates and original Agreements will be maintained by Administration. A copy of all Agreement will be maintained in the original contract file.
4. A copy of the Master List will be provided to the Compliance Officer and updated as needed.

Breach and Termination of Business Associate Contracts

1. It is the responsibility of every employee to report any knowledge of any matter of activity or practice on the part of a Business Associate that violates or breaches patient privacy. Any such observation should be reported to the Privacy Officer immediately.
2. The Privacy Officer will be responsible for working with Administration to notify the Business Associate of the breach and ensuring that reasonable steps are taken to immediately cure the breach.
3. If steps to cure the breach are unsuccessful, Heritage Provider Network and its Affiliated Medical Groups will terminate the Business Associate Agreement for non-compliance.

Reporting Non-Compliance

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If termination is not possible, the problem will be reported to the Secretary of the Department of Health and Human Services.

REFERENCE:

45 CFR§164.504