The University of Oklahoma

Business Associate (BA) Decision Chart

Name – Business/Vendor/Person:

Does the University share PHI with a business/vendor/person so the business/vendor/person can perform a service for or on behalf of University?

Do we benefit from their actions?

Ex: A lab runs a test on a patient we refer, but they are a provider acting on behalf of the patient, not on behalf of OU.

Yes

Stop
Not a BA.

No

Does the business/vendor/person act as a member of our workforce, performing their service/function under our direct control?

Yes

Stop
Not a BA; HIPAA training required.

No

Does the business/vendor/person create, receive, maintain, or transmit PHI on our behalf?

Yes

Business/Vendor/Person is a BA.

No

Does the business/vendor/person perform a function or activity involving the use/disclosure of PHI for or on behalf of the organization?

Yes

Business/Vendor/Person is a BA.

No

Does the business/vendor/person perform any other function regulated by the HIPAA rules for or on behalf OU?

Yes

Business/Vendor/Person is a BA.

No

Does the business/vendor/person perform a service for or on behalf of the University that involves the disclosure of PHI by OU?

Yes

Business/Vendor/Person is a BA.

No

Is the business/vendor/person exposed to PHI but does not need it to perform their work?

Yes

Ensure contract includes a general confidentiality provision.

No

* Use the University’s template Business Associate Agreement, available through Purchasing or Legal Counsel.

IF IN DOUBT, CONTACT THE UNIVERSITY PRIVACY OFFICIAL

Rev. 9/2013 HIPAA Document