The University of Oklahoma

Business Associate (BA) Decision Chart

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?

- No → Stop Not a BA.

Does OU benefit from their actions?

- Yes → Business/Vendor/Person is a BA. BA agreement is required.*

Does the business/vendor/person create, receive, maintain, or transmit PHI on OU’s behalf? (Ex: Cloud storage, maintenance of equipment that stores PHI)

- Yes → Business/Vendor/Person is a BA. BA agreement is required.*

Does the business/vendor/person perform a function or activity involving the Use/Disclosure of PHI for or on behalf of the University?

- Yes → Business/Vendor/Person is a BA. BA agreement is required.*

- No → Does the business/vendor/person perform any other function regulated by the HIPAA rules for or on behalf of OU?

- Yes → Business/Vendor/Person is a BA. BA agreement is required.*

- 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. BA agreement is required.*

- No → Is the business/vendor/person occasionally exposed to PHI but PHI is not needed to perform the work?

- Yes → Business/Vendor/Person is a BA. BA agreement is required.*

- No → Not a BA of OU. Need general confidentiality provision in contract.

- Use the University’s template Business Associate Agreements available on the HIPAA website, HIPAA Privacy Forms-Clinics.

IF IN DOUBT, CONTACT THE UNIVERSITY PRIVACY OFFICIAL OR OFFICE OF COMPLIANCE.


HIPAA Document