

# HIPAA BAAs

## Guidelines for HIPAA Business Associate Agreements

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A Business Associate Agreement (BAA) is used when fully identifiable protected health information (PHI) is being shared with another party.

**BAAs are meant for specific circumstances and if those circumstances are not met, a Data Use Agreement (DUA) should be used.**

A Business Associate, as defined in the Health Insurance Portability and Accountability Act (HIPAA), is a person or entity who performs functions or activities on behalf of, or provides certain services to, a covered entity that involve access by the Business Associate to PHI. A covered entity may be a Business Associate of another covered entity if it performs such services for the other covered entity. A covered entity may disclose protected health information to an entity in its role as a Business Associate only to help the covered entity carry out its health care functions –