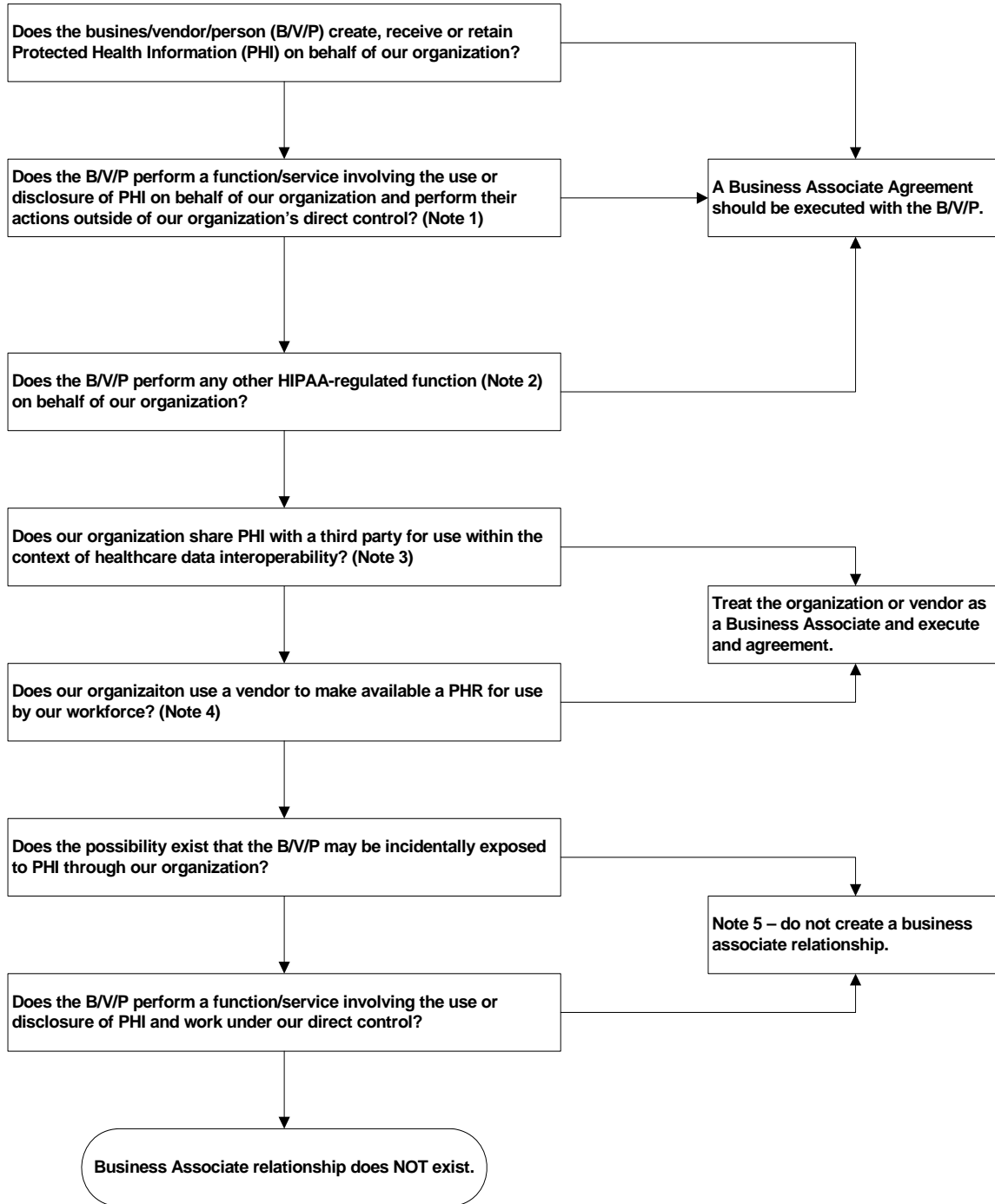


## *Business Associate (BA) Decision Tree*

### Updated and changed for HITECH Act from ARRA 2009



Note 1: Such functions/services include claims processing or administration, data analysis, utilization review, quality review, quality assurance, billing services, benefit management, practice management and repricing (45 CFR §160.103(ii)(a)).

Note 2: Such functions/services include legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation and financial services.

Note 3: Each organization that provides data transmission of PHI on a routine basis to an entity such as a Health Information Exchange Organization is required to enter into a written contract described in 164.502(e)(2).

Note 4: Each vendor that contracts with a covered entity to allow a personal health record...is required to enter into a written contract or other written agreement. HITECH Section 13408

Note 5: Confidentiality provisions should be included in contracts with such non-Business Associates.

*This document is derived from the WEDI/SNIP decision tree published in the white paper to define criteria for BA status.*