



# THE UNIVERSITY OF TEXAS AT DALLAS

## SECURITY OF HEALTH CARE INFORMATION

<b>Section 3.11 Business Associate Agreements</b>	<b>Page:</b> 1 of 2
<b>Effective Date:</b> March 21, 2005	

### POLICY

UTD shall incorporate into written Business Associate Agreements the requirements of the Security Rule.

### PERSONNEL

Security Officer

Privacy Officer

Director-on-call

Director of Procurement Management

Chief Operating Officer

Office of General Counsel

Senior Management

### PROCEDURES

1. Personnel Responsibility. Security Officer and Director-on-call shall ensure that all Business Associate Agreements contain the requirements of the Security Rule.
2. Existing Business Associate Agreements.
  - a. *Current Contracts.* UTD workforce members shall forward each existing Business Associate Agreement to the Office of General Counsel for review to determine whether the Business Associate Agreement contains the requirements set out below in Section 3, as required by the Security Rule.

- b. *New Contracts.* In connection with creating new Business Associate Agreements pursuant to Section 16 of the Privacy Manual, the Office of General Counsel shall ensure that the Business Associate Agreement contains the requirements set out below in paragraph 3 of this Section 3.11 of this Manual.
  
- 3. Security Requirements in Business Associate Agreements. Each Business Associate Agreement shall state that the business associate will:
  - a. implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the electronic PHI that it creates, receives, maintains, or transmits on UTD’s behalf;
  - b. ensure that any agent, including a subcontractor to whom it provides such information, agrees to implement reasonable and appropriate safeguards to protect it;
  - c. report to UTD any security incident of which it becomes aware;
  - d. authorize termination of the Business Associate Agreement by UTD if UTD determines that the Business Associate has violated a material term of the contract; and
  - e. comply with the Privacy Rule requirements described in Section 16 of the Privacy Manual.
  
- 4. Uses and Disclosures by Business Associates. A Business Associate may use and disclose PHI for purposes described in Section 16 of the Privacy Manual.

Date Approved: _____	Date Revised/Reviewed: _____
Approved By: _____	_____
Title: _____	_____
Signature: _____	_____