



Americare Certified Special Services
Policy, Procedures and Information

Title: Business Associates Policy	Effective Date: 9/23/13
	Last Revision:
Issued By: Miri Bank, Director of Compliance	Approved by: Governing Board

Introduction

Americare Certified Special Services has adopted this Business Associates Policy in order to recognize the requirement to comply with the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), as amended by the HITECH Act of 2009 (ARRA Title XIII). We also recognize our responsibility to protect individually identifiable health information under the regulations implementing HIPAA, other federal and state laws protecting the confidentiality of personal information, and under general, professional ethics.

This policy governs our relations and work with Business Associates (as defined by HIPAA at § 160.103 and as amended by the HITECH Act) for Americare Certified Special Services. All personnel Americare Certified Special Services must comply with this policy. Demonstrated competence in the requirements of this policy is an important part of the responsibilities of every member of the workforce.

Officers, agents, employees, contractors, temporary workers, and volunteers must read, understand, and comply with this policy.

Reference

Americare Certified Special Services must comply with HIPAA and the HIPAA implementing regulations pertaining to Business Associates, in accordance with the requirements at § 164.308(b)(1), § 164.410, § 164.502(e), § 164.504(e), and HITECH Act § 13041.

In cooperation with our organization, Business Associates work with, use, transmit, and/or receive individually identifiable health information, including

Protected Health Information (“PHI”, as defined by HIPAA), which be afforded reasonable protections under HIPAA law.

Americare Certified Special Services has the primary responsibility in all Business Associate relationships to ensure that individually identifiable health information, including Protected Health Information (“PHI”, as defined by HIPAA), is properly protected and safeguarded.

Policy

- ◆ It is the Policy of Americare Certified Special Services to establish and maintain business and working relationships with Business Associates that are in full compliance with all the requirements of HIPAA.
- ◆ Business Associates are responsible to ensure that all aspects of our Business Associate relationships are appropriate and lawful, as well the individually identifiable health information, including Protected Health Information (“PHI”, as defined by HIPAA), is properly protected and safeguarded
- ◆ Business Associates duties and responsibilities must include, but are not limited to the following:
 - Ensure that all Business Associate contracts meet all HIPAA requirements and standards, including those requirements and standards amended by the HITECH Act, and any requirements of State laws in the state(s) where we operate.
 - Ensure that individually identifiable health information, including Protected Health Information (“PHI”, as defined by HIPAA), is properly protected and safeguarded by our Business Associates.
 - Ensure that Business Associates understand the importance and necessity of protecting individually identifiable health information, including Protected Health Information (“PHI”, as defined by HIPAA), whether in electronic form (“ePHI”) or hardcopy form.
 - Ensure that Business Associates have proper and appropriate policy and procedures to safeguard individually identifiable health information, including Protected Health Information (“PHI”, as defined by HIPAA
 - Ensure that Business Associates understand and are properly prepared to detect and respond to breaches of individually identifiable health information, including Protected Health Information (“PHI”, as defined by HIPAA).
 - Ensure that Business Associates reports all identified PHI breaches to Americare.