

# STANDARD ADMINISTRATIVE PROCEDURE

## 16.99.99.M0.04 Business Associates Agreement

*Approved October 27, 2014*

*Next scheduled review: October 27, 2019*

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### SAP Statement

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This procedure applies to Texas A&M Health Science Center (TAMHSC) health care providers, its participating physicians and clinicians, employees and business units who provide management, administrative, financial, legal, and operational support to or on behalf of the health care provider and has been designated as a member of the TAMHSC Health Care Component. This procedure pertains to protected health information covered by the TAMHSC Health Care Component's Notice of Privacy Practices.

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### Official Procedure and Responsibilities

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#### 1. RESPONSIBILITIES

- 1.1 This procedure sets forth the requirements necessary to document TAMHSC's efforts to assure Business Associates<sup>i</sup>, agents, and subcontractors comply with HIPAA privacy standards and the TAMHSC Health Care Component knows about, and has the opportunity to take remedial action regarding, any breach of duty by a Business Associate Implementation of a business associate agreement.
- 1.2 TAMHSC Health Care Components are required to assure that any Business Associate with whom it shares protected health information (PHI) handles that information in the accordance with the Health Insurance Portability and Accountability Act, Standards for Privacy of Individually Identifiable Health Information, 45 CFR Parts 160 and 164, and any and all other federal regulations and interpretive guidelines promulgated there under.

#### 2. PROCESS

- 2.1 Contract Administration shall process all business associate agreements on behalf of the TAMHSC Care Component or Business Unit after review by the TAMHSC Privacy Officer.
- 2.2 Any request for participation in a business associates agreement should be reviewed thoroughly by the TAMHSC Health Care Component or Business Unit.

- 2.3 When possible, TAMHSC Health Care Components and Business Units shall utilize the Business Associates Agreements that have been approved by the Office of General Counsel.
- 2.4 The Business Associates agreement must be approved by the Privacy Officer before forwarding to Contracts Administration.

### 3. VIOLATIONS

The Privacy Officer has general responsibility for implementation of this procedure. Employees who violate this procedure will be subject to disciplinary action up to and including termination of employment. Anyone who knows or has reason to believe that another person has violated this procedure should report the matter promptly to his or her supervisor or the Privacy Officer. All reported matters will be investigated, and, where appropriate, steps will be taken to remedy the situation. Where possible, every effort will be made to handle the reported matter confidentially. Any attempt to retaliate against a person for reporting a violation of this procedure will itself be considered a violation of this procedure that may result in disciplinary action up to and including termination of employment.

i HIPAA Code: §164.502(e)(1)

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**Office of responsibility**

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TAMHSC Vice President of Finance and Administration