**WHEN IS A BUSINESS ASSOCIATE AGREEMENT REQUIRED?**

- **Non-VUMC employed individual or entity (contractor) provides products and/or services on behalf of Vanderbilt**

  - **Does the contractor create, access, use, store, or disclose protected patient health information (PHI) in order to provide the product or service?**
    - **YES**
      - **Is the contractor acting under VUMC supervision as a member of the VUMC workforce?**
        - **YES**
          - Contractor must complete HIPAA training and sign confidentiality agreement but no BAA required
        - **NO**
          - **Written contract must include BAA provisions**
    - **NO**
      - **Written contract does not require BAA provisions**

**Type of Contract Requiring the Business Associate Agreement and Processing under VUMC Policy OP10-10.17:**

- *Service agreements that directly involve PHI;*
- *Software license & support involving PHI;*
- *Consulting Services involving PHI;*
- *Certain equipment support agreements where PHI is created or stored.*

**Goods/Products Contracts:** The BAA is imbedded in P.O. Terms & Conditions to help prevent inadvertently missing a required BAA

If you still have questions about whether a BAA is required and/or how to proceed, contact the VUMC Privacy Office @ 936-3594