



## Oklahoma State University

<b>Title: Business Associates: Permitted and Required Uses and Disclosures</b>	<b>Policy #: PRV-01.03</b>
<b>Category: HIPAA Compliance</b>	<b>Authority: 45 CFR § HIPAA SECTION: 164.502(a)(3) &amp; (4)</b>
<b>Standard: Uses and disclosures of protected health information: General rules</b>	<b>Responsibility: Health Care Components</b>
<b>Effective Date: 4/14/2003</b>	<b>Page 1 of 1</b>
<b>Approved By: OSU Legal Counsel</b>	<b>Revised: 7-1-2013</b>

### **PURPOSE:**

To identify the permitted uses and disclosures of PHI by Business Associates.

### **POLICY:**

A business associate may use or disclose protected health information only as permitted or required by its business associate contract or other arrangement pursuant to § 164.504(e) Business Associate Contracts or as required by law. The business associate may not use or disclose protected health information in a manner that would violate the requirements of the Privacy Rule, if done by the covered entity, except for the purposes specified under § 164.504(e)(2)(i)(A) or (B) if such uses or disclosures are permitted by its contract or other arrangement. §164.502(a)(3)

A business associate is required to disclose protected health information: §164.502(a)(4)

(i) When required by the Secretary under the Enforcement Rule to investigate or determine the business associate's compliance with the Privacy Rule. §164.502(a)(4)(i)

(ii) To the covered entity, individual, or individual's designee, as necessary to satisfy a covered entity's obligations under § 164.524(c)(2)(ii) and (3)(ii) with respect to an individual's request for an electronic copy of protected health information. §164.502(a)(4)(ii)

### **PROCEDURE:**

OSU when acting as a business associate or will require of its business associates to not use or disclose, other than as required by law, any use or disclosure Not permitted by the Business Associate Contract.