

From: Tammy Clay, PDC Chief Compliance and Privacy Officer
Colleen Shannon, DUHS Chief Compliance and Privacy Officer
Tina Tyson, DU Chief Ethics & Compliance Officer

Re: Revised Business Associate Agreement

Health Information Technology for Economic and Clinical Health (“HITECH”) Act required revision to our Business Associate Agreements (BAAs). In preparation of these revisions, a revised BAA template was distributed and made available on the intranet as of April 2013. See <http://marlowe.mc.duke.edu/accred/duhspol.nsf/fb44e3dd791dbda0852567910047d969/1a66bfadc94169d785257c9b005cdc69?OpenDocument>.

By **September 22, 2014**, HITECH requires all existing BAAs be transitioned to this revised template.

To implement these changes, Procurement Services, Office of Corporate Research Collaborations and Affiliations and Clinical Contract Services have been updating contracts with the revised BAA. However, it is important that your department/business unit provide assistance in transitioning your department’s existing BAAs to the new BAA by following the instructions below:

1. Immediately use the revised BAA template available at the link above and revise all current BAAs. This would include replacing any BAAs associated with an Outside Service Agreement (OSA).
2. Review your inventory of contracts with BAAs or contracts that include sharing of protected health information and identify contracts that need revised BAA. It is important that you include all current and active OSAs.
3. Review the inventory of vendors/contracts listed at www.procurement.duke.edu that Procurement Services will be responsible for transitioning to the new BAA. If the vendor contract is not listed on the Procurement website, please notify Carol Pegram at 919-681-4223 or carol.peggram@duke.edu
4. Update the identified BAAs by June 30, 2014.

For questions, please contact:

Procurement Services

Office of Corporate Research Collaborations

Affiliations and Clinical Contract Services

PDC Counsel

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