

PURPOSE

To establish the policy for the Michigan Department of Health and Human Services (MDHHS) to ensure that protected health information (PHI) is disclosed to, used by, and may be further disclosed by business associates in accordance with the written agreements that meet HIPAA Privacy Rule requirements.

POLICY

It is the policy of the MDHHS that the MDHHS shall have privacy protections in all contracts if the contract anticipates that the MDHHS will make disclosures of PHI to the contractor so that the contractor may use the PHI to perform some function on behalf of MDHHS relating to treatment, payment or health care operations. The written protections that will be used in these contracts with the MDHHS's business associates will meet the requirements of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule

REFERENCES

45 CFR §164. 504(e), §160.103, §164,502(e)

CONTACT

For additional information concerning this policy, contact the MDHHS Bureau of Legal Affairs