

# SAN GABRIEL/POMONA REGIONAL CENTER

Date: October 27, 2017

To: Service Provider

From: Ernie Cruz, Director of Community Services

**RE: HIPAA BUSINESS ASSOCIATE STATUS AND BUSINESS ASSOCIATE AGREEMENT**

The Business Associate Agreement (BAA) is a newly required agreement between the regional center and service providers and speaks to the business relationship between the regional center, the service provider and the Department of Developmental Services (DDS).

Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) San Gabriel/Pomona Regional Center is identified as a Business Associate of the Department of Developmental Services (DDS). In March 2013, the U.S. Department of Health & Human Services enacted a final HIPAA Omnibus rule which implemented a number of provisions from the HITECH Act to strengthen the privacy and security protections established under HIPAA. Under the Omnibus rule the definition of a Business Associate has been updated to also include subcontractors (service providers) of a Business Associate (SG/PRC) who create, receive, maintain or transmit Protected Health Information (PHI) on behalf of SG/PRC or who provide services involving the disclosure of PHI.

As a result of this change in definition, Service Providers are now considered Business Associates of SG/PRC and are required to establish HIPAA compliant Business Associate Agreements (BAA). Service Providers must also comply with the HIPAA requirements of a Business Associate.

In order to comply with federal law, San Gabriel/Pomona Regional Center shall ensure that a BAA is established with all service providers. **Please review and complete the Business Associate Agreement which can be found at <http://www.sgprc.org/service-providers/business-associate-agreement>.** Make sure to enter the company/entity name on the first page, initial each page, and confirm your acceptance of the agreement on page 9.

**The deadline to submit the BAA is December 31, 2017. Failure to submit the BAA will result in termination of vendorization.**

Should you have any questions or concerns, please contact the Community Services Department at (909) 620-7722 or by email at [commsrvs@sgprc.org](mailto:commsrvs@sgprc.org).

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Program of San Gabriel/Pomona Valleys Developmental Services, Inc.

“Service, support, and advocacy for individuals with developmental disabilities and their families”