

What is HIPAA?

The Health Insurance Portability and Accountability Act (HIPAA) is a complex regulation that affects many researchers at the University of Central Arkansas. HIPAA is designed to protect the use and disclosure of individually identifiable health information (also defined as Protected Health Information or PHI). PHI is defined as any of the 18 HIPAA recognized identifiers **in combination with** health information.

HIPAA recognized identifiers:

1. Names;
2. All geographic subdivisions smaller than a State, including street address, city, county, precinct, zip code, and their equivalent geocodes;
3. All elements of dates (except year) for dates directly related to an individual, including birth date, admission date, discharge date, date of death;
4. Telephone numbers;
5. Fax numbers;
6. Electronic mail addresses;
7. Social security numbers;
8. Medical record numbers;
9. Health plan beneficiary numbers;
10. Account numbers;
11. Certificate/license numbers;
12. Vehicle identifiers and serial numbers, including license plate numbers;
13. Device identifiers and serial numbers;
14. Web Universal Resource Locators (URLs);
15. Internet Protocol (IP) address numbers;
16. Biometric identifiers, including finger and voice prints;
17. Full face photographic images and any comparable images;
18. Any other unique identifying number, characteristic, or code.

It is important that you understand that you could face criminal and/or civil liabilities for non-compliance.

Note: This information is subject to change frequently as the regulations continue to be interpreted and policies developed; please check back often.

Is My Research Covered By HIPAA?

HIPAA is applicable to you if your college or department uses Protected Health Information in connection with certain covered transactions. Legal counsel with guidance from Deans and other UCA leaders have determined which colleges and departments engage in covered transactions and thus are covered by HIPAA. To find out whether your department/college is covered by HIPAA, contact the Research Compliance Officer at (501) 852-7460. Because of its size and the

diversity of its activities, the University of Central Arkansas is designated as a hybrid entity which means that some departments/colleges are regulated by HIPAA and others are not. An entity, or its covered departments or colleges, that is regulated by HIPAA is called a Covered Entity (CE).

The University of Central Arkansas is a “covered entity.”

What makes the University of Central Arkansas a “covered entity?” The University of Central Arkansas is comprised of several groups that make it a “covered entity” including, School of Nursing, medical benefit plans, human research, Communication Science Disorders, Physical Therapy, student health services and athletics, among others.

(Note, there may be others not listed; please contact Kimberly Ashley-Pauley for assistance (501) 852-7460).

If you are employed in a UCA Covered Entity component and create, access, or share Protected Health Information, HIPAA applies to your research.

If in your research you collect Protected Health Information from a UCA Covered Entity and your department/college is deemed outside of the Covered Entity, HIPAA applies to your access of the Protected Health Information.

Researchers not in the Covered Entity may need an authorization form:

1. to access PHI for their study; or,
2. if they are conducting part of their study in the Covered Entity.

Please contact the Research Compliance Office at (501) 852-7460, or e-mail kashley@uca.edu for a revised authorization/consent form.

Business Associate Agreements

You may need a BAA for your research study if:

1. You have an outside person/entity that performs a service on behalf of the healthcare provider (including a researcher) or the healthcare institution during which individually identifiable health information is created, used or disclosed.
2. You (or your department) are not in the Covered Entity and you are either de-identifying information or creating a limited data set.

The IRB does not consider research collaborators as business associates unless they sign a contract to perform certain duties/functions that involves the use and/or disclosure of PH

