



**CONSOLIDATED LABORATORY SERVICES**

"Continued Commitment to Quality and Service"

April, 2009

To Concerned CLS Clients regarding the HIPAA BUSINESS ASSOCIATE AGREEMENT:

In response to many questions surrounding the HIPAA compliance regulations, it is our belief under the HIPAA regulations and the OCR Guidance issued on December 3, 2002, St. Vincent's Medical Center's, Consolidated Laboratory Services, does not need a Business Associate Agreement between our facilities.

In an excerpt taken from the OCR HIPAA Privacy rule the following is stated;

Exceptions to the Business Associate Standard. The Privacy Rule includes the following exceptions to the business associate standard. See 45 CFR 164.502(e). In these situations, a covered entity is not required to have a business associate contract or other written agreement in place before protected health information may be disclosed to the person or entity.

- Disclosures by a covered entity to a health care provider for treatment of the individual.

For example:

A hospital is not required to have a business associate contract with the specialist to whom it refers a patient and transmits the patient's medical chart for treatment purpose.

**A physician is not required to have a business associate contract with a laboratory as a condition of disclosing protected health information for the treatment of an individual.**

**A hospital laboratory is not required to have a business associate contract to disclose protected health information to a reference laboratory for treatment of the individual.**

If you have any questions, need any further information or would like to discuss our position, please call Lynnette Chakkaphak, Director at 308-8400.

Sincerely,

Lynnette Chakkaphak  
Director