

Re: Amended HIPAA Business Associate Terms and Conditions & Red Flag Rules

To Whom It May Concern:

In January 2013, the Health Insurance Portability and Accountability Act (HIPAA) was revised by what is known as the HIPAA Omnibus Rule. Among other things, the HIPAA Omnibus Rule establishes obligations in addition to those that were previously set forth under HIPAA and ARRA. Further, the HIPAA Omnibus Rule includes changes to the obligations of Business Associates, requiring a Second Amendment to the "UPMC Terms and Conditions for Business Associates" that UPMC has in place with your organization.

As a result, UPMC placed the following documentation on its website <http://purchasing.upmc.com>:

- **"Second Amendment to the Business Associate Agreement."** This amendment modifies those terms that UPMC was required to change due to the HIPAA Omnibus Rule. If UPMC negotiated HIPAA Business Associate terms and conditions (including the "First Amendment to the Business Associate Agreement") with you prior to September 26, 2013, by continuing to perform services after September 23, 2013, you agreed to comply with the "Second Amendment to the Business Associate Agreement."
- **"HIPAA Omnibus Rule Revised Terms and Conditions for Business Associates."** These terms consolidated the terms from the "UPMC Terms and Conditions for Business Associates," the "First Amendment to the Business Associate Agreement" and the "Second Amendment to the Business Associate Agreement." If you are a new Business Associate after September 26, 2013, you must comply with the "HIPAA Omnibus Rule Revised Terms and Conditions for Business Associates."

Thank you in advance for your cooperation and assistance in this matter.

Sincerely,

John P. Houston

Vice President, Privacy and Information Security & Assistant Counsel