

COMPLIANCE REFERENCE

The Business Associate Agreement, explained

An educational explainer of what a HIPAA Business Associate Agreement (BAA) is and why a practice needs one with its vendors. Not a template to sign; have BAAs drafted or reviewed by counsel.

Educational example only. This is not legal, medical, or compliance advice, and it is not a ready-to-use legal document. Requirements vary by state, payer, and setting. Adapt anything like this to your own situation and have it reviewed by qualified legal and compliance counsel licensed in your jurisdiction before using it in a practice. You are responsible for compliance with all applicable federal and state laws, including HIPAA. shrinkiatry publishes professional commentary and education, not legal or medical advice.

Current as of July 7, 2026. Laws, payer rules, and billing codes change. Confirm the current requirements for your jurisdiction and setting before you rely on anything here.

What it is

A Business Associate Agreement is a contract between a covered entity, such as your practice, and a business associate, such as a vendor that creates, receives, maintains, or transmits protected health information on your behalf. HIPAA requires it.

Who is a business associate

- Your electronic health record and telehealth platform
- Billing, transcription, and some IT or cloud vendors
- Any vendor that handles protected health information for you, not a patient or another treating provider

What a BAA commonly addresses

- The permitted uses and disclosures of protected health information
- Required safeguards and compliance with the Security Rule
- Reporting of breaches and security incidents to you
- Return or destruction of protected health information when the relationship ends
- Flow-down to subcontractors

Note

Sign a BAA before a vendor touches protected health information. Do not rely on a generic form without review; confirm current HHS requirements and have counsel adapt it.

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