Assessment Tool 1
Does HIPAA Apply to My Research?

Does your research involve health information*, including mental or behavioral health, about living or deceased persons that will be (or was) obtained as part of a health care service?

- Yes
  - Is the health information “individually identifiable” (can it be linked to the identity of a person?) (see “Am I Using PHI?”) to help decide
    - Yes
      - Is the health information created, maintained by or received from a “covered entity” (hospital, health care provider, health insurer, health plan, and/or health care clearinghouse?)
        - Yes
          - Is the PHI being created, maintained by or received from an FAU Covered Entity?
            - Yes
              - Your research does not use health information from an entity covered under HIPAA. No additional forms are needed.
            - No
              - STOP
        - No
          - STOP
    - No
      - STOP
  - No
    - STOP

Your research does not use health information covered under HIPAA. No additional forms are needed.

The PHI used in your research is not under the jurisdiction of FAU however, you must follow the HIPAA procedures of the Covered Entity where the PHI will be obtained.

Your research must comply with the HIPAA Privacy Rule. You must obtain a signed Authorization from each research participant or obtain a Waiver of Authorization from the IRB.

Contact the Privacy Board/Officer or Research Committee of that institution to obtain relevant HIPAA approvals.