

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?

→
No



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

↓
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)

→
No



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

↓
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?)

→
No



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

↓
Yes

Is the PHI being created, maintained by or received from an FAU Covered Entity?

→
No



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.**

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Yes

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.