Decision Tree for 1: Determining When HIPAA Applies to Research

This decision tree should be used to determine if research must comply with HIPAA regulations.

Will you access or collect health information for research purposes?

Yes

When obtaining the health information, will you have access to any of the 18 HIPAA identifiers? (see table below)

No

Not covered by HIPAA

Yes

Is the health information associated with the provision of care and payment for care:
1) within a covered component of the VCU Affiliated Covered Entity (ACE)? (see table at right) OR
2) by another HIPAA covered entity?

No

Yes

Research activity is covered by HIPAA regulations. See Decision Tree 2 to determine appropriate way to access PHI.

VCU ACE Components
- MCV Hospital & all satellite clinics
- School of Allied Health Professions
- School of Dentistry
- School of Medicine
- School of Nursing
- School of Pharmacy
- VCU Employee Health
- VCU Telecommunications
- VCU Police
- VCU Audit & General Management
- VCU Office of the General Counsel
- VCU Office of the VP for Research

HIPAA Identifiers

<table>
<thead>
<tr>
<th>Names</th>
<th>Social Security Numbers</th>
<th>Device Identifiers</th>
<th>Biometric Identifiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dates</td>
<td>Email Addresses</td>
<td>License/Certificate #s</td>
<td>Photos &amp; Like Images</td>
</tr>
<tr>
<td>Postal Addresses</td>
<td>Medical Record Numbers</td>
<td>Vehicle ID numbers</td>
<td>Any other unique ID</td>
</tr>
<tr>
<td>Phone Numbers</td>
<td>Health Plan Numbers</td>
<td>Web URLs</td>
<td></td>
</tr>
<tr>
<td>Fax Numbers</td>
<td>Account Numbers</td>
<td>IP Address Numbers</td>
<td></td>
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</tbody>
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