{Date}

{Contact Name}
{Company Name}
{Address1}
{Address2}
{City, State Zip}

     Re: Business Associate Subcontractor Agreement

Dear   :

    The January 25, 2013 HITECH modifications to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) require that **[Agency]** obtain a Business Associate Subcontractor Agreement from the various third parties with whom we do business. Enclosed please find a Business Associate Subcontractor Agreement dated _____ for your review and signature. Your signature on this Agreement is essential to a continuing business relationship with our company after September 23, 2013.

    As a reminder, Business Associate Subcontractor Agreements are required for vendors who perform a function or activity on behalf of **[Agency]** (who serves as a Business Associate for our clients and vendors) which requires the vendor to use or disclose Protected Health Information (PHI).

    Please note that as a result of the HITECH modifications, Business Associates such as {Contact Name} and its subcontractors are directly liable for compliance with certain provisions of the HIPAA Rules and are subject to civil and, in some cases, criminal penalties for making uses and disclosures of protected health information that are not authorized by its contract with a covered entity or required by law. Our Subcontractors are also directly liable and subject to civil penalties for failing to safeguard electronic protected health information in accordance with the HIPAA Security Rule.

    Beyond signing this Agreement, you will need to ensure that you have adopted Policies and Procedures related to Privacy and Security, as well as train your employees with whom we work on the requirements related to Privacy and Security of the information they may come in contact with in our business relationship.

    Please review and sign the enclosed documents and return them. Once {Contact Name} has signed the documents, we will return an original to you for your files. Please contact us at {XXX-XXX-XXXX} with any questions you may have.

Sincerely,

{Name}
{Position}
[Agency] (unless using letterhead)