

Business Associate Agreement Review Checklist

Use this administrative checklist to organize a review of a Business Associate Agreement (BAA) with qualified legal or compliance personnel.

Counterparty _____	Agreement Date _____
Reviewer _____	Review Date _____

Parties & Scope

- ☐ Covered entity / business associate legal names are correct.
- ☐ Services involving PHI are clearly identified.
- ☐ Permitted uses and disclosures are defined.
- ☐ Subcontractor obligations are addressed.

Safeguards & Incidents

- ☐ Administrative, physical and technical safeguard obligations are addressed.
- ☐ Security incident / breach reporting expectations are defined.
- ☐ Timing and content of notifications are clear.
- ☐ Cooperation with investigation / mitigation is addressed.

PHI Rights & Lifecycle

- ☐ Access / amendment / accounting support obligations are addressed where applicable.
- ☐ Minimum necessary expectations are considered.
- ☐ Return or destruction of PHI at termination is addressed.
- ☐ Retention obligations and infeasibility exceptions are addressed.

Contract Administration

- ☐ Effective date and term are clear.
- ☐ Termination for material breach is addressed.
- ☐ Conflicting provisions with the services agreement are reviewed.
- ☐ Final agreement is approved by appropriate legal / compliance personnel.

This checklist is not a BAA and is not legal advice. HIPAA requirements and contract language should be reviewed by qualified legal / compliance professionals for the specific relationship.