

## ***Appendix 2.3***

### ***Definitions Used to Determine Covered Entity Status Under the Privacy Rule***

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<b>Covered Entity</b>	A health plan, a health care clearinghouse, or a health care provider who conducts electronic transactions. These transactions are described at 45 C.F.R.164.
<b>Health Care</b>	Care, services, or supplies related to the health of an individual. It includes, but is not limited to, the following: <ul style="list-style-type: none"><li>• Preventive, diagnostic, rehabilitative, maintenance, or palliative care, and counseling, service, assessment, or procedure with respect to the physical or mental condition, or functional status, of an individual or that affects the structure or function of the body</li><li>• Sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription. See 45 C.F.R.160.103</li></ul>
<b>Covered Transactions</b>	Transactions for which the Secretary of Health and Human Services has adopted standards and which can be found at 45 C.F.R. Part 162. If a health care provider uses another entity (such as a clearinghouse) to conduct covered transactions in electronic form on its behalf, the health care provider is considered to be conducting the transaction in electronic form.
<b>Required by Law</b>	A mandate contained in law that compels an entity to use or to disclose protected health information, and that is enforceable in a court of law. Required by law includes, but is not limited to, court orders and court-ordered warrants; subpoenas or summons issued by a court, grand jury, a governmental or tribal inspector general, or an administrative body authorized to require the production of information; a civil or an authorized investigative demand; Medicare conditions of participation with respect to health care providers participating in the program; and statutes or regulations that require the production of information, including statutes or regulations that require such information if payment is sought under a government program providing public benefits.
<b>Research</b>	Systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge.