Use the following decision tree to determine if the recipient of PHI is a business associate.

1. Does the third party who performs or assists in the performance of a function or service on behalf of THR create, receive, maintain, transmit, access or disclose PHI?
   - **Y**: Proceed to the next question.
   - **N**: NOT A BUSINESS ASSOCIATE

2. Is this third party part of your workforce?
   - **Y**: Proceed to the next question.
   - **N**: NOT A BUSINESS ASSOCIATE

3. Is this disclosure or access to a provider concerning treatment of the patient?
   - **Y**: Proceed to the next question.
   - **N**: NOT A BUSINESS ASSOCIATE

4. Is the third party performing a function on your behalf?
   - **Y**: BUSINESS ASSOCIATE
   - **N**: Proceed to the next question.

5. Is the third party providing any of the designated services?
   - **Y**: BUSINESS ASSOCIATE
   - **N**: NOT A BUSINESS ASSOCIATE

Designated services include:
- Legal
- Actuarial
- Accounting
- Accreditation
- Data Aggregation
- Administrative Consulting
- Management
- Financial Services