



MEMORANDUM

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TO: File

FROM: Joshua B. Toas, VP of Compliance & Chief Compliance Officer

DATE: June 6, 2023

SUBJECT: Research Foundation HIPAA Status

DocuSigned by:
Joshua Toas
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The Research Foundation for The State University of New York was chartered by the New York State Board of Regents in 1951 to assist The State University of New York through the provision of services that would allow for more extensive educational opportunities and services to its students, faculty and staff. These opportunities and services include life-changing research across numerous fields as well as research based training programs.

The mission of The State University of New York is to provide to the people of New York broadly accessible educational services of the highest quality, fully representative of all segments of the population in a complete range of academic, professional and vocational postsecondary programs. The State University of New York ("SUNY") and The Research Foundation for The State University of New York ("Foundation") continue to work together to facilitate the conduct of sponsored programs that support SUNY's academic mission.

In the course of providing educational, research and public services for the people of the state of New York, certain sponsored programs may require that SUNY professionals perform activities that fall within the definition of the activities of a covered entity within the meaning of the Health Insurance Portability and Accountability Act (HIPAA). Those services are conducted at the direction of SUNY faculty or other campus officials and carried out using local business systems and network environments. Research Foundation employees involved in covered activities do so as agents of SUNY. Research Foundation employees should not and do not provide clinical care absent a clear directive from a properly licensed SUNY professional acting as an agent of SUNY.

If, in the course of conducting sponsored program activity on behalf of SUNY, the Foundation conducts both covered and non-covered functions, then the Foundation elects to be a hybrid entity under HIPAA as provided by 45 C.F.R. § 164.103. Implementation of appropriate HIPAA compliant controls are the responsibility of the program and local campus.

Designation of Covered Components. The Research Foundation has no designated healthcare components.

Thank you.

cc: Office of the General Counsel