



Own the Bone® and Data Use Agreements

Own the Bone® is a quality improvement program developed and managed by the American Orthopaedic Association (AOA). The AOA collects a “limited data set” as defined by HIPAA and therefore enters into Data Use Agreements with our participating sites.

AOA and Own the Bone do not enter into Business Associate Agreements for these two reasons:

1. The AOA Own the Bone Registry (“Registry”) only collects only a “limited data set” as defined by HIPAA. According to guidance from the Department of Health and Human Services (“HHS”) and a specific HIPAA regulation, if an entity collects only a Limited Data Set for the purpose of health care operations, the receiving entity and the covered entity sending the Limited Data Set are required to enter into a Data Use Agreement. The parties are not required to enter into a Business Associate Agreement.
2. The AOA includes within the Participating Site Agreement a fully compliant Data Use Agreement. Therefore, pursuant to the HIPAA regulation and guidance, AOA does not enter into Business Associate Agreements, but instead enters into Data Use Agreements.

Please refer to 45 CFR 164.504(e)(3)(iv), the HIPAA regulation, and the attached guidance from the HHS website. Please also refer to 45 CFR 164.514(e)(4) which sets forth the requirements for a Data Use Agreement.

If you have any questions about the program protocol and HIPAA data use provisions, please contact Jessica Yanik, Program Coordinator at yanik@aoassn.org or at 847-318-7336.