

Joint Responsibilities

Not every HIPAA/HITECH requirement is the exclusive responsibility of one party or another. VMware offers many services that, when adopted and properly applied by a Service tenant, can help them maintain HIPAA- and HITECH-compliance of their processes. In these cases, VMware is responsible to meet its contractual obligations to Service tenants, and tenants are responsible to adopt and use the services as needed to meet their obligations. These are some examples of joint responsibilities:

- **Access Controls** – VMware provides a means to deny unauthorized persons access to Horizon Air; tenants manage user accounts to keep authorizations up to date, delete accounts when users leave the organization, etc. Horizon Air customers manage access control to their environment and choose what data is encrypted and to what degree.
- **Firewall** – VMware logically segregates the virtual systems of Horizon Air tenants and provides technologies to secure communications among tenant's virtual machines and data centers. Tenants document, implement, and test their instances of these technologies to assure the security of PHI in their care.
- **Disaster Recovery** – VMware Horizon Air documents, implements, and regularly tests business continuity and disaster recovery plans; tenants document and implement their own such plans and assure that PHI in their care is recoverable. This is very important for Horizon Air customers to realize, as they have sole responsibility to ensure their data is backed up and retrievable in the case of disaster.

Overall, organizations complying with HIPAA and HITECH rules are responsible to adopt and use VMware Horizon Air in a manner that achieves and maintains that compliance. Horizon Air is compliant to HIPAA, but many requirements of HIPAA must be addressed specifically by Horizon Air customers.

VMware Business Associate Agreement

VMware is committed to serving the healthcare market with a broad range of reliable, high-performance Cloud Computing services. To help VMware Horizon Air clients document their compliance with HIPAA and HITECH rules, we provide a Business Associate Agreement that documents VMware's contractual obligation to use appropriate safeguards to:

- **Prevent** unauthorized access, use, or disclosure of Protected Health Information

