Implications of the JOA on Data Sharing

▪ UW-Madison is a Hybrid Entity
  ▪ Units that perform HIPAA covered functions are designated as the Health Care Component
  ▪ Researchers and other key personnel on human subjects protocols are included in the Health Care Component

▪ The UW-Madison Health Care Component is included in the University of Wisconsin Affiliated Covered Entity (ACE)

▪ An ACE consists of legally separate covered entities that are affiliated (under common ownership or control) and designate themselves as a single covered entity for purposes of complying with HIPAA
Implications of the JOA on Data Sharing

- ACE entities include:
  - Most units of the UW-Madison Health Care Component
  - The University of Wisconsin Hospitals and Clinics Authority
  - The University of Wisconsin Medical Foundation
  - SwedishAmerican Hospital
- UnityPoint Health – Meriter is **not** part of the ACE
- Sharing of PHI cannot occur as though Meriter is part of the ACE
- The JOA forms a **contractual** relationship to collaborate in certain areas
- Meriter continues to be a separate **legal** entity from the UW ACE
Implications of the JOA on Data Sharing

▪ Unfortunately, the JOA does not simplify or streamline sharing of PHI for research purposes
▪ However, we are committed to continuing to support the excellent research that is occurring at Meriter and collaborating with researchers to ensure compliance with the HIPAA Privacy Rule