

HIPAA and Record Review/Data Research at Meriter

Protected Health Information (PHI)

PHI is an individual's health information that has one or more of the 18 HIPAA identifiers associated with it.

HIPAA Identifiers

1. Patient names
2. Geographical elements (such as a street address, city, county, or zip code)
3. Dates related to the health or identity of individuals (including birthdates, date of admission, date of discharge, date of service, date of death, or exact age of a patient older than 89)
4. Telephone numbers
5. Fax numbers
6. Email addresses
7. Social security numbers
8. Medical record numbers
9. Health insurance beneficiary numbers
10. Account numbers
11. Certificate/license numbers
12. Vehicle identifiers
13. Device attributes or serial numbers
14. Digital identifiers, such as website URLs
15. IP addresses
16. Biometric elements, including finger, retinal, and voiceprints
17. Full face photographic images
18. Other identifying numbers or codes - For Meriter this includes categories of race and ethnicity beyond the following: White, Black, Asian, Hispanic, Other.

HIPAA Waiver of Authorization

UnityPoint Health-Meriter will waive HIPAA Authorization (patient's permission) to disclose (PHI) for research when all four of the following are met.

1. There are specific study objectives
2. There is a specific plan for protecting identified data (data security, storage, and handling/transfer)
3. There is a specific plan with time points for destroying identifiers
4. An explanation why the research cannot be conducted without a waiver of HIPAA authorization

These four elements are queried in the Meriter Research application.

Data Transfer

UnityPoint Health (UPH) requires the use of Movelt for secure transfer of PHI. A Meriter employee who runs a report or pulls data for a UW-Madison Researcher will send the data to you via Movelt.

If a UW researcher needs to send data from Meriter to UW a Movelt account may be used. A UW researcher can request a Movelt account from UPH Information Technology or UW. Secure data transfer is part of the plan for protecting PHI (Protected Health Information).

Transfer methods such as email, Microsoft Teams, FlyWheel, etc. are not acceptable.

Limited Data Set (LDS)

After a study team collects their research data, they may choose to share a limited data set of this data with collaborators or other researchers. A limited data set has no direct identifiers. A limited data set may include only the following **indirect identifiers**:

- dates such as admission, discharge, service, DOB, DOD
- city, state, five digit or more zip code
- ages in years, months or days or hours

Because a limited data set is still PHI, the Privacy Regulations require entities exchanging limited data set(s) to enter into a Data Use Agreement.

Does Meriter Require a Data Use Agreement?

A Data Use Agreement is **not required** when:

1. A UW-Madison researcher extracts data from Meriter health records and enters it directly into a file on a UW-Madison server (for example an excel spreadsheet on the researcher's UW Dept server, the UW REDCap software, etc.). The Meriter data now belongs to UW. The UW researcher may transfer the data from the UW server to an external entity. At this point, the UW HIPAA privacy policies are in effect, not Meriter's. Meriter does not require a Data Use Agreement in this situation.
2. A UW-Madison researcher receives data from a Meriter employee. The data is stored on a UW-Madison server (for example an excel spreadsheet on the researcher's UW Dept server, the UW REDCap software, etc.). The Meriter data now belongs to UW. The UW researcher may then transfer the data from the UW server to an external entity. At this point, the UW HIPAA privacy policies are in effect, not Meriter's. Meriter does not require a Data Use Agreement in this situation.

NOTE: Once the data moves from Meriter to a UW server, the UW-Madison Privacy Policies apply. The Meriter data belongs to UW. A data use agreement with Meriter is not required.