

DE-IDENTIFIED INFORMATION PROCEDURE

1. Any member of the BHHF workforce who desires to create or disclose de-identified health information will submit a proposal to the Privacy Official or Designee(s). The proposal will state:
 - 1.1. Identity of the requestor.
 - 1.2. The purpose for which the de-identified information will be used.
 - 1.3. Identification of the intended recipients of the de-identified information.
 - 1.4. Whether the information will be de-identified using the statistical or the safe harbor method.
 - 1.5. Description of the method to be used to de-identify the information, including data processing and human resources to be used.
 - 1.6. Any third party that will be involved in de-identifying the information.
 - 1.7. Specification of which information will be de-identified.
 - 1.8. The qualifications of the reviewer, if the statistical method is to be used.
 - 1.9. If applicable, description of the statistical methodology to be used to determine that the risk of identifying any individual is very small.
 - 1.10. Procedures to safeguard the re-identification key, if one will be created.
 - 1.11. Description of how any re-identification key will be created, that demonstrates that it will not be derived from identifiers.
 - 1.12. Description of how a re-identification key will be used or disclosed, and who will use it.
 - 1.13. Procedures for destruction of the re-identification key when it is no longer needed.
 - 1.14. Procedures to safeguard the re-identification key, and re-identified information.
2. The Privacy Official or Designee(s) will review and approve or disapprove the proposal in writing. Approval will be based on compliance with the applicable requirements with either the statistical or safe harbor method.
3. The following documentation will be retained for six years or longer if required by state law or regulation from the date the information is de-identified.
 - 3.1. Proposal
 - 3.2. Written approval or disapproval of the proposal
 - 3.3. If applicable, the statistical analysis that demonstrates that the risk of identifying any individual from the de-identified data is very small.

- 3.4. If a statistical reviewer or third party is used to validate the de-identification procedure or to de-identify the information, a copy of the business associate agreement with the reviewer or other third party.

REFERENCE: 45 CFR § 164.514(a), (b) and (c), 164.502(d)

See also: DISCLOSURE OF PROTECTED HEALTH INFORMATION TO BUSINESS
ASSOCIATES AND OTHER CONTRACTORS
LIMITED DATA SET

Effective Date: 4/14/03

Dates Revised:



Jerome E. Lovrien, Commissioner, Bureau for Behavioral Health and Health Facilities