



Origination: 07/2018
Effective: 06/2020
Last Approved: 06/2020
Last Revised: 06/2020
Next Review: 06/2023
Owner: *David Behinfar: HCS Exec Dir Privacy*
Policy Area: *HIPAA - Privacy*
Policy Tag Groups:
Applicability: *UNC Health Care System (all owned and managed entities)*

Limited Data Sets

APPLICABILITY:

This policy applies to the following entities (collectively referred to as "UNC Health" in this policy):

✓ UNC Health Care System / UNC Medical Center*	✓ Johnston Health
✓ UNC Physicians Network	✓ Lenoir Memorial Hospital
✓ UNC Physicians Network Group Practices / UNC Physicians Group Practices II	✓ Margaret R. Pardee Memorial Hospital
✓ Rex Healthcare / Rex Hospital	✓ Nash Healthcare System/Nash Hospitals
✓ Chatham Hospital	✓ Wayne Memorial Hospital
✓ Caldwell Memorial Hospital	
✓ UNC Rockingham Health Care / UNC Rockingham Hospital	

***UNC Medical Center includes all UNC Hospitals' facilities and the clinical patient care programs of the School of Medicine of UNC-Chapel Hill (including UNC Faculty Physicians).**

I. Description

UNC Health shall only use or disclose a limited data set (LDS) for research, public health or health care operations purposes in accordance with this policy. Any release of an LDS by a UNC Health Facility or member of the UNC Health workforce shall require that the UNC Health Facility enter into a UNC Health Data Use Agreement with all LDS recipients.

Included within the scope of this policy are the patient care programs of the UNC School of Medicine (UNC SOM). As a result, this policy shall apply to all UNC SOM personnel, including but not limited to faculty, staff, students, trainees, interns and volunteers who may be full-time, part-time, paid or unpaid who create, store, transmit, access or use any patient information in support of clinical purposes for UNC Health or any other healthcare entity.

II. Policy

A. Approved Uses for the Release of LDS

A UNC Health Facility may release an LDS for the following purposes:

1. **Research – Creation of a LDS through Removal of Individual Identifiers.** To qualify as an LDS, the following direct identifiers of the individual or of relatives, employers, or household members of the individual **must be removed from the data being released to the recipient:**
 - a. Names;
 - b. Postal address information, other than town or city, state, and zip code;
 - c. Telephone number;
 - d. Fax numbers;
 - e. Electronic mail addresses;
 - f. Social security numbers;
 - g. Medical record numbers;
 - h. Health plan beneficiary numbers;
 - i. Account numbers;
 - j. Certificate/license numbers;
 - k. Vehicle identifiers and serial numbers, including license plate numbers;
 - l. Device identifiers and serial numbers;
 - m. Web Universal Resource Locaters (URLs);
 - n. Internet Protocol (IP) address numbers;
 - o. Biometric identifiers, including finger and voice prints; and
 - p. Full face photographic images and any comparable images.

B. Remaining Identifiers Allowed in an LDS after Removal of Identifiers:

The only "individual identifiers" that may remain after the above identifiers are removed in accordance with Section 1 of this policy shall consist of the following:

1. Dates (such as dates of service, dates of birth, dates of discharge, etc...)
2. Geographic areas including the city, state five digit zip code (but not street address or similar).

C. Execution of a Data Use Agreement Required for UNC Health to Release an LDS

Any UNC Health workforce member who wishes to release an LDS to another party shall use the UNC Health Data Use Agreement.

A Data Use Agreement may be signed by:

1. **Recipients:** individuals who are recipients of the data (such as faculty or researchers)
2. **UNC Health:** only an authorized representative of UNC Health who has been specifically delegated this responsibility may sign a Data Use Agreement. Please contact the UNC Health Privacy Office for further guidance on authorized signatories.

D. UNC Health Data Use Agreement Provisions

The UNC Health Data Use Agreement contains the following provisions:

1. establishes the permitted uses and disclosures of PHI by the recipient of the LDS;
2. provides who is permitted to use or receive the LDS;
3. limits further uses and disclosures of the LDS by the recipient to those permitted by the Data Use Agreement;
4. requires the recipient to use appropriate safeguards to prevent improper use or disclosure of the LDS;
5. requires reporting of any use or disclosure of the PHI not provided for by the Data Use Agreement to the UNC Health Member Facility;
6. prohibits the recipient from using or further disclosing the PHI;
7. ensures that any agents to whom the recipient provides the LDS also agrees to the same restrictions and conditions that apply to the recipient; and
8. prohibits the recipient from identifying the information or contacting the patient.

E. Violations Committed by LDS Recipient

If a UNC Health Facility is aware of a pattern of activity or practice of the recipient of the LDS which suggests that the recipient is in violation of the terms of the Data Use Agreement such activity should be reported to the UNC Health Privacy Office immediately.

III. Definitions

Limited Data Set – Protected Health Information that excludes the 16 direct identifiers set forth at 45 CFR § 164.514(e)(2).

IV. References

45 C.F.R. § 164.514(e)

V. Related Policies/Forms

Attachments

No Attachments

Approval Signatures

Step Description	Approver	Date
	Jerylyn Williams: Chief Audit & Compliance Ofcr	06/2020
SYSTEM Site Administrator	Emilie Hendee: HCS Attorney Sr	06/2020
	David Behinfar: HCS Exec Dir Privacy	06/2020

Applicability

Caldwell Memorial Hospital, Chatham Hospital, Johnston Health, Nash UNC Health Care, Pardee Hospital, UNC Health Care System, UNC Lenoir Health Care, UNC Medical Center, UNC Physicians Network, UNC Rex Healthcare, UNC Rockingham Health Care, Wayne Memorial Hospital

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