

Key Points of DOH Data-Sharing Agreement

1. DOH may obtain and share vital records data with authorized recipients under 70.58A RCW.
2. Definitions include direct and indirect identifiers, government agencies, potentially identifiable information, indirect patient identifier, and health care information. This list is not exhaustive or all the definitions.
3. Agreement directs the recipient (SHD) to use the information consistent with the agreement and asserts all information is owned by DOH.
4. Agreement construed for maximum confidentiality.
5. Recipient agrees to comply with all laws regarding protection of the information including limiting the amount of people with access to the information to specific authorized users that are trained and agree to the terms of Appendix A of this agreement including signing appendix A before accessing the data.
6. All signed use and disclosure of confidential information forms (Appendix A) must be maintained by SHD for the duration of the contract and one year following and available to DOH immediately upon demand.
7. A complete list of authorized users must be maintained and available to DOH. SHD must also immediately notify DOH if any authorized users are no longer affiliated with SHD.
8. SHD and all authorized users must comply with data security outline in Appendix B.
9. SHD must follow small number guidelines
10. SHD must destroy all copies of the information provided by DOH after its authorized purpose unless otherwise allowed by DOH.
11. SHD is prohibited from redisclosing information unless authorized by DOH in writing.
12. Any FOIA or PRA requests for records must be sent to DOH privacy officer 10 days prior to disclosure to the requestor.
13. Unauthorized disclosure can result in termination of the agreement, denial of future data, or criminal misdemeanor charges
14. Disputes shall first go through DOH contracts and procurement dispute resolution.
15. Mutual hold harmless for own employees.
16. Termination with 30 days' notice for any reason; breach can result in immediate termination.
17. Exhibit 1 contains the information that SHD may release to requesting entities under WAC 246-492-300(9)* Note online WACs do not currently have a 246-492* – this information would include all information SHD was previously releasing. Does require a data-sharing agreement with the requesting entity. The data may also be re-disclosed by the requesting entity.
18. Information is not allowed to be used for commercial purposes and is not allowed to be sold.
19. DOH maintains all rights to review any SHD records related to this agreement.
20. Appendix A outlines use and disclosure of confidential information that must be signed by anyone with access to the information.
21. Appendix B outlines the data security requirements – compliance with HIPAA security requirements.