
Data Collection and Use for Coordination

Session 2: Data Use Agreements

October 20, 2021



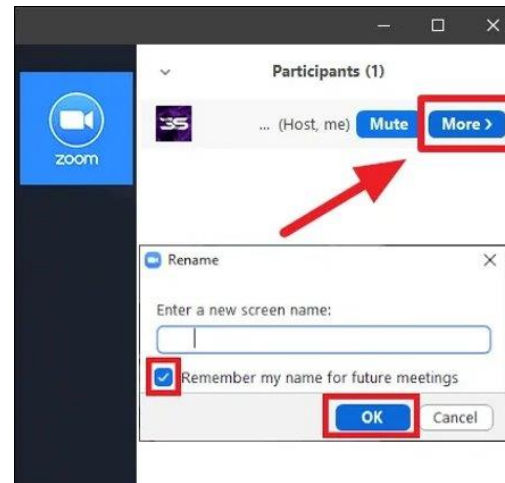


Welcome!

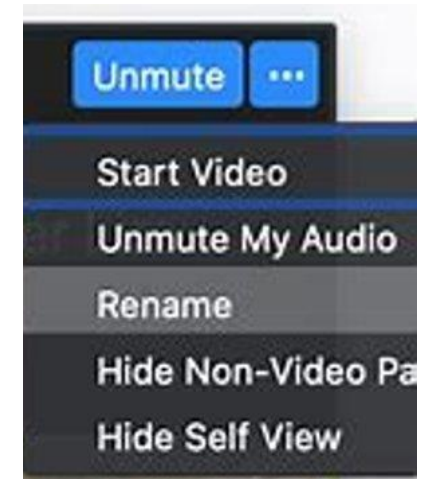
Introductions



If available, please use video.



OR



Please add county to your Zoom participant info.
Example: Leah, Del Norte

Today's Session

- Data use agreements (DUAs):
 - Purpose
 - Components
 - Development
 - Sample





Poll

- Where are you in the data use agreement (DUA) process?
 - Here to learn—not sure if we need a DUA
 - Haven't started yet but plan to develop a DUA soon
 - Currently working on a DUA
 - Already have a DUA in place

When are Data Use Agreements required?

- Protection of Protected Health Information (PHI) in accordance with Health Information Portability and Accountability Act (HIPAA)
- Data contains Personally Identifiable Information (PII)
- Sensitive information that may have organizational or individual risks
- Data ownership or dissemination requirements

What is a Data Use Agreement?

- Formal document between two or more entities that specifies the conditions under which data are to be shared and used.
- Can have different names: data sharing agreement, data transfer agreement, data use license, etc.

Key Components of a Data Use Agreement

- **Who is involved** (e.g., roles and responsibilities of participating parties)
- **What will be shared** (e.g., list specific data elements)
- **How data will be shared** (e.g., file structure, timeline, secure file transfer)
- **Reason for request** (e.g., how data will be used)
- **Project boundaries** (e.g., data security requirements, completion date, what will happen to data after project completion)

Key Steps in Developing a Data Use Agreement

- Clarify research questions and identify data needed to answer the questions.
- Identify the organizations that own, oversee, or manage the data
- Work with someone who knows how to prepare a data use agreement (e.g., legal counsel) to develop a draft document
- Gather feedback from partner organization(s) and finalize document
- Obtain signatures of approval from the partner organization(s)

Sample Data Use Agreement Content

This Data Use and Security Agreement (hereafter referred to as “Agreement”) effective as of _____, 20_ (“Effective Date”), is made by and between _____ (the “Data Provider”) and _____, (hereafter referred to as the “Data Recipient”). Data Provider and the Data Recipient will be collectively referred to as the “Parties.”

As a for-profit organization, _____, under the [**Insert Program Name**] program will receive and analyze [**Insert description of data**] e.g., (administrative, education records, behavioral related) data for project purposes. Specifically, _____ will be collecting the [**Insert description of data**] for the purpose of [**Insert purpose**] on behalf of [**Insert name of Client**] (hereafter referred to as “Client”).

Data Recipient is bound by a variety of Government regulations and laws, as well as contractual obligations with all its clients, to be accountable for information confidentiality, integrity and security. Similarly, individual consultants and vendors, including their subcontractors, in the employ of the Data Provider must be accountable for data security in the performance of Data Provider’s work.



Group Discussion

- Any lessons learned from those who have completed DUAs?
- What supports do you need to start this process?
- Can you set a goal or action step that you could complete before our next meeting?

Thank You!

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