



October 17, 2012

Data Release Policy for the Center for Health Information Analysis

The Nevada Revised Statute (NRS) 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform. The State of Nevada, Department of Human Resources, Division of Health Care Financing and Policy (DHCFP) and the UNLV Center for Health Information Analysis (CHIA) are public agencies within the meaning of NRS 277.100. Whereas it is deemed that the services of CHIA are both necessary and desirable to DHCFP and in the best interest of the State of Nevada, they have entered into a service contract via an inter-local agreement.

To comply with the requirements of 45 CFR Part 160, 162 and 164 (the HIPAA Security and Privacy Rule), attachment C of said inter-local agreement establishes upon CHIA obligations of the Business Associate and the permitted and required uses and disclosures by the Business Associate of Protected Health Information (PHI) it may possess by reason of the Contract.

Article 3 of Attachment A of the inter-local authorizes CHIA to provide services and information to third parties and charge for said services. Under this authority, and permitted by HIPAA as described in 164.501, and 164.512(i) of Title 45, Code of Federal Regulations, CHIA charges for the costs of preparation and transmittal of patient discharge data. Discharge data are only released for the purpose of research related to public health including but not limited to epidemiological studies, health policy, and market analysis. Charges for data should not be construed as a purchase price. Charges help offset the cost of preparation (collection, auditing, processing...) and transmittal. Researchers receive the right to use the data. This right can be revoked by breach of contract as stipulated in the Limited Data Set Use Agreement. Revocation of the right to use data does not imply reimbursement of charges.

Prior to data release, data recipients must have in place an approved Limited Data Set Use Agreement (LDSUA). Approval authority rests with the Nevada state HIPAA officer, and the Administrator of the DHCFP.

<http://chia.unlv.edu/hospitalinpatientdata/html/acquiringdata.htm>

As of this writing, and until superseded by amendment to this policy, pricing is as follows:

1. Nevada state public entities (e.g. Government divisions and districts, Indian Health Services, UNLV and UNR professors...) receive data at no charge. This may extend to non-state organizations that are working in partnership with the DHCFP on a specific project.
2. Non-profit organizations receive a 50% discount of charges.
3. For profit organizations are charged the full 100%.

CHIA releases three data set types: 1) Inpatient (IP), 2) Emergency Department (ED), and 3) Ambulatory which includes Ambulatory Surgical Center (AS) and Hospital Outpatient Surgery (OS) and Other (TH) hospital outpatient such as observation, lab, radiology... Each set is \$600 per quarter \$2,400 per year.

The "year" price is for any four (or more) quarters, of a single data type, received within a single order.

The data are discounted as follows:

1. The latest available 8 quarters are full price.
2. The next available 8 quarters (2-4 years old) are discounted 50%.
3. All data older than the latest available 16 quarters are discounted 75%.

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