

PURPOSE: To outline the appropriate process for obtaining Emergency Medical Services (EMS) Agency data.

AUTHORITY: Health Information Technology for Economic and Clinical Health (HITECH) Act
Healthcare Information Portability and Accountability Act of 1996 (HIPAA)
Title 45, Code of Federal Regulations, Section 164.154

DEFINITIONS:

Covered Entities: Healthcare providers, health plans, and healthcare clearing houses that electronically transmit health information.

Health Insurance Portability and Accountability Act (HIPAA): A federal law passed in 1996, which established a set of national standards for the electronic transmission of health information, including research subjects. Covered entities are required to comply with HIPAA regulations.

Institutional Review Board (IRB): An Institutional Review Board, also known as an independent ethics committee, ethical review board, or research ethics board, is a type of committee used in medical research that has been formally designated to approve, monitor, and review biomedical and behavioral research involving humans. IRBs often conduct some form of risk-benefit analysis in an attempt to determine whether or not research should be done. The purpose of the IRB is to assure that the appropriate steps are taken to protect the rights and welfare of humans participating as subjects in a research study.


Limited Data Set Information: Information that does not include standard identifiers so as to ensure that remaining health information is not identifiable to an individual or incident. Some of the specific links include but are not limited to the following:


- Names
- Postal Address, information other than town or city, state, and zip code
- Dates including birth date, admission date, discharge date, date of death, and all ages over 89
- Telephone and fax numbers
- Electronic mail addresses
- Social Security numbers
- Medical records numbers
- Hospital visit numbers
- Health plan beneficiary numbers
- Account numbers
- Certification/license numbers
- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers and serial numbers

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APPROVED: _____


Director, EMS Agency


Medical Director, EMS Agency

- Web Universal Resource Locators (URLs)
- Internet Protocol (IP) address numbers
- Biometric identifiers, including finger or voice prints
- Full face photographic images and any comparable images
- Any other unique identifying number, characteristic or code

Protected Health Information (PHI): Individually identifiable health information that is held or transmitted in any form or media, whether electronic, written, spoken, printed, digital, recorded, or photographic, which can be linked to an individual, or there is reasonable basis to believe it can be used to identify an individual.

PRINCIPLES:

1. EMS data contains patient information which is protected under HIPAA. Without specific authorization, the EMS Agency will only release Limited Data Set Information.
2. Local EMS stakeholders and healthcare researchers are encouraged to utilize EMS data to evaluate patient care and outcomes and to answer other healthcare related questions that may lead to system improvements. Research studies will require approval from the appropriate IRBs.
3. All release of data will be approved by the Director of the EMS Agency (or designee). When applicable, the EMS Agency will seek the recommendation of the appropriate EMS Agency Advisory Committee.
4. Neither provider (i.e., hospital or prehospital care provider) nor the EMS Agency shall release another entity's identifiable information to any entity for public use without first receiving written permission from the entity's Executive Officer, except as permitted by required statute, regulation, or court order.

POLICY:

- I. Requests for EMS Data:
 - A. Information that does not disclose the identity of the provider
 1. Requesting party shall submit a written request utilizing Ref. No. 622.1, Data Request and Levels of Support, to the EMS Agency's Data System Management Division Chief (or designee). Augmentation to an original request may be considered a new data request.
 2. The EMS Agency will:
 - a. Review the request and inform the requesting party of the approval/disapproval decision within 4 weeks of receiving the request.
 - b. Advise the requesting party of the anticipated timeframe for completion of the data request.

- c. Prepare the data in the agreed upon format. If the data format has not been specified by the requesting party, an appropriate format will be utilized (i.e., graph, tables, etc.).
 - d. Release the data following receipt of IRB approval, if applicable, and approval by the Director of the EMS Agency (or designee).
 - B. Information that discloses the identity of the provider
 - 1. Requesting party shall:
 - a. Submit a written request, along with Ref. No. 622.1, Data Request and Levels of Support, to the EMS Agency's Data System Management Division Chief (or designee). Augmentation to an original request may be considered a new data request.
 - b. Obtain written permission from the involved agency's Executive Officer authorizing the EMS Agency to release agency-identifiable data and provide that written permission to the EMS Agency.
 - 2. The EMS Agency will:
 - a. Only release data for agencies that have provided written authorization permitting release of their data.
 - b. Provide a copy of the request to the appropriate committee(s) for comment and recommendation.
 - c. Notify the requesting party of the anticipated timeframe in determining the approval/disapproval of their request (depending on committee meeting schedules, recommendations, etc.).
 - d. Notify the requesting party of the approval/disapproval of their request as soon as responses are received from the involved agencies and committees.
 - e. Advise the requesting party of the anticipated timeframe for completion of the request for data.
 - f. Prepare the data in the agreed upon format. If no data format has been specified by the requesting party, an appropriate format will be utilized (i.e., graph, tables, etc.).
 - g. Release the data following receipt of IRB approval, if applicable, and approval by the Director of the EMS Agency (or designee).
- II. Appeals:
 - A. Disapproval of data that does not disclose the identity of the provider:

Requesting party shall submit a written request for a review of the decision to the Director of the Los Angeles County Department of Health Services.
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- B. Disapproval of data that discloses the identity of the provider:

There is no appeal for data release decisions regarding data that discloses the identity of the provider.

III. Fees:

- A. The EMS Agency and/or its information technology vendor may charge the requesting party a data retrieval fee.
- B. Fees will be determined following review of the application form, taking into account the complexity of the request, the anticipated time necessary to complete the request, and the level (s) of support requested.
- C. Fees will be discussed with the requesting party prior to generating the requested data.
- D. Fees will be collected prior to release of the requested data.

CROSS REFERENCE:

Prehospital Care Manual:

- Ref. No. 602, **Confidentiality of Patient Information**
Ref. No. 622.1, **Data Request and Levels of Support**
Ref. No. 622.2, **Limited Data Set Information**
Ref. No. 622.3, **Intended Use of Limited Data Set Information**
Ref. No. 622.4, **Data Use Agreement**
Ref. No. 622.5, **Confidentiality Agreement**