

BU Protocol on Using CHIA Data in Research

All BU researchers in any school/institute/other division of BU who obtain CHIA data for research must comply with this protocol.

What is CHIA?

CHIA is the Center for Health Information and Analysis. The Massachusetts statute that created CHIA requires many MA hospitals, health care providers and health insurance companies to provide certain patient data to CHIA. The primary purpose is to facilitate health care planning and policies by the Commonwealth. Secondly, the statute allows CHIA to make the data available to researchers, on certain strict conditions. You'll find more information here: <http://www.chiamass.gov/> These statutory requirements are stricter than the typical DUA between two entities, without a statutory mandate.

CHIA Data is Single-Use Data:

In order to make the data available to researchers, the statute requires a specific review process and a determination specific to each use that the use is "in the public interest." Thus, each time CHIA grants a request for data, the data is released only for the specific purpose(s) stated in the application. Because of that, any additional use of CHIA data (any use different from that described in the application) must be preceded by a new application for the new purpose, which will go through the same 3 level review process. Researchers need to include in their applications every use they plan to make and ensure each is approved in the formal review process mandated by law. E.g., if you plan to link the CHIA dataset to ore combine it with any other data set (e.g., NPI database), this must be approved before you proceed.

CHIA's "No Browsing" Rule:

An unusual feature of CHIA's single use approval is the prohibition on "browsing." Browsing includes any use of the data other than the approved use. Even if there is not disclosure outside the approved research team, no downloading or copying of the data, and no harm to the dataset, browsing is not allowed. So, for example, while students serving as research assistants often use datasets to explore possible issues for their theses or other types of research, that is not allowed with CHIA data.

Other CHIA Rules:

Important rules to remember:

1. No one is permitted access to CHIA data unless and until the PI has had them sign a Confidentiality Agreement.
2. You need to keep track of who was given access, the data access was given, and the date each person signed the confidentiality agreement.

Potential Sanctions:

CHIA is stricter than most entities that supply research data, and when (for example) access is given without a signed confidentiality agreement or a student browses the data for other purposes, CHIA reminds us that they may:

- (a) deny future access to Data;
- (b) terminate current access to all Data; and/or
- (c) demand and secure the destruction or return of all Data.



CHIA may also refer any failures to comply to state and federal law enforcement. *957 CMR 5.09:*

Audits: CHIA Audits and BU Audits

CHIA will send a self-audit form to all PIs with CHIA data, usually in September or October. The PI is responsible for completing the audit form and sending it back to CHIA.

In order to ensure PIs are prepared for their CHIA audits, BU's Director Health Privacy and Compliance will send a preliminary audit form to all PIs with CHIA data in July of each year.

Upon completing the internal preliminary audit form and the CHIA annual audit form, if the PI becomes aware of any lapses in adherence to CHIA's conditions, the PI should contact the Director of Health Privacy and Compliance.

BU's Master Data Use Agreement with CHIA Applies to Your Study

BU has standardized the data protection standards that all PIs will follow for all CHIA data. Please see attached. Please ensure your research follows these requirements. BU IS&T is available for support to ensure you implement all requirements.

Your Data Management Agreement Supplements the Data Use Agreement

CHIA will also require each PI to enter into a Data Management Agreement. As with any Data Use Agreement, the PI should contact the Director of Industry Contracting, who is authorized to negotiate and sign BUAs on behalf of BU. See <http://www.bu.edu/researchsupport/project-lifecycle/award-review-and-acceptance/negotiating-industry-agreements/>