Name of Policy: <u>De-identifiable and re-identifiable</u> <u>health information, limited data set and data use</u> **Approving Officer:** President **Responsible Agent:** Privacy Officer and Director of Health Information Management **Scope:** Hybrid and affiliated covered entity of University of Toledo	**Effective date:** September 13, 2023 **Original effective date:** August 9, 2006	

Keywords:

	New policy		Minor/technical revision of existing policy
	Major revision of existing policy	X	Reaffirmation of existing policy

(A)   Policy Statement

The Health Insura003 Tt120ra 0 Td(T)2 Ai Td w (I)3.1 0 d2 (I)9d2 (b0 d2 (I)-2 (oli (m)10 (a used to identify an individual when removing identifiers from the data. A code may be assigned or other means of record identification to allow information de-identified to be re-identified. Limited data sets may be disclosed in accordance with a data use agreement for the purposes of approved research, education, public health or health care operations.

(B)   Purpose of policy

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used to identify an individual, is not considered individual identifiable health information.

(b)   De-identified records are not PHI and therefore are not protected by the privacy regulations. To the extent de-identified information can be used or disclosed in lieu of PHI, none of the complex requirements or the HIPAA laws apply.

(c)   Information can be de-identified by two methods:

   (i)   Statistical approach.   Requires that a person with appropriate knowledge and experience of generally accepted statistical methods for rendering information not individually identifiable apply those methods or principles and determine that the risk is very small that the information could be used, alone or in combination with other reasonably available information by an anticipated recipient, to identify an individual who is the subject of the information. The expert must document the methods used and the results of the analysis.

   (ii)   Safe harbor approach.   Requires that the following data elements identifying the individual (or relative, employers, or household members of the individual) be removed, provided the covered entity

(vii)   Health plan beneficiary numbers
(viii)   Certificate/license numbers
(ix)   Vehicle identifiers and serial numbers, including license plate numbers
(x)   Device identifiers and serial numbers
(xi)   Web universal resource locators (URLs)
(xii)   Internet protocol (IP) address numbers
(xiii)   Biometric identifiers, including finger and voice prints
(xiv)   Full face photographic images and any comparable images, and
(xv)   Any unique identifying number, characteristic or code

(2)   Re-identification

Information may be re-identified, by a code or other means of record identification to allow information to be re-identified, provided that the code or other means of record identification is not derived from or related to information about the individual and is not otherwise capable of being translated to identify the individual. The code may not be used or disclosed for any other purpose and must remain with the covered entity. The mechanism for re-identification may not be disclosed.

(3)   Limited data aet

(a)   The limited data set is protected health information that excludes the following direct identifiers of the individual, or of relatives, employers, or household members of the individual:

(i)   Limited data requires that all of the following PHI identifiers be removed:

(a)   Names
(b)   All geographic subdivisions smaller than a state, including street address, city, county, precinct, zip code, and their equivalent geocodes, except for the initial three di01t10 ( )r tso

    (e)   Telephone numbers (including cell numbers)
    (f)   Fax numbers
    (g)   Electronic mail address
    (h)   Social Security number
    (i)   Medical record number
    (j)   Account number
    (k)   Health plan beneficiary numbers
    (l)

utilize appropriate safeguards, report to the university of Toledo privacy office any use or disclosure not provided for in the data use