

Original Draft Date: January 13, 2003
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SUBJECT: Disclosures of De-identified Health Information

HIPAA CITES: 45 CFR §§ 164.502(d), 164.514(a)-(c)

DEPARTMENT: All Departments of Kewaunee County

POLICY NUMBER: 108

I. POLICY:

- A. Kewaunee County may use or disclose de-identified Health Information without obtaining a patient's authorization. De-identified Health Information is Health Information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual. Health Information shall be considered de-identified only if one of the two de-identification procedures set forth in this policy is followed.
- B. Kewaunee County may use health information to create de-identified health information or disclose health information to a Business Associate to create de-identified health information so long as Kewaunee County and the Business Associate execute a Business Associate agreement in accordance with Policy #124.
- C. Kewaunee County may not use Protected Health Information to create de-identified Health Information for research purposes without obtaining a patient's authorization or a waiver from an Institutional Review Board/Privacy Board.

II. PROCEDURES:

- A. Kewaunee County staff may determine that Health Information is de-identified Health Information only if it complies with one of the following two de-identification procedures:
 - 1. Statistical Methods. Health Information is considered de-identified if a person with appropriate knowledge of and experience with generally accepted statistical and scientific principles and methods for rendering information not individually identifiable:
 - a. determines 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 a subject of the information; and

- b. documents the methods and results of the analysis to justify such determination .
2. Removal of Identifiers. Health Information is considered de-identified if all eighteen (18) of the following identifiers of the individual or relatives, employers, or household members of the patient are removed and Kewaunee County does not have any actual knowledge that the information could be used alone or in combination with other information to identify a patient:
- a. names.
 - b. geographic subdivisions smaller than a state (e.g., street address, city, county, precinct, zip code and their equivalent geocodes, except for the initial three digits of a zip code, if according to the currently available data from the Bureau of the Census, the geographic unit formed by combining all zip codes with the same three initial digits contains more than 20,000 people. If such geographic units contain 20,000 people or less, then the initial three digits of the zip codes must be changed to 000 and thus treat them as a single geographic area.)
 - c. all elements of dates, except year, directly related to an individual including birth date, admission date, discharge date, date of death; and for all ages over 89, all elements of date including year indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older. Note, however, that for research or other studies relating to young children or infants, Kewaunee County's policy does not prohibit age of an individual from being expressed in months, days or hours.
 - d. telephone numbers.
 - e. fax numbers.
 - f. electronic-mail addresses.
 - g. social security numbers.
 - h. medical record numbers.
 - i. health plan beneficiary numbers.
 - j. account numbers.
 - k. certificate/license numbers.
 - l. vehicle identifiers and serial numbers, including license plate numbers.

- m. device identifiers and serial numbers.
- n. web universal resource locators (URLs).
- o. internet protocol (IP) address numbers.
- p. biometric identifiers including finger and voice prints.
- q. full face photographic images and any comparable images.
- r. any other unique identifying number, characteristic or code, except as otherwise permitted for re-identification purposes in Section II.C below.

B. Re-identification

1. A code or other means of record identification designed to enable coded or otherwise de-identified information to be re-identified may not be disclosed except as otherwise permitted under Kewaunee County's policies for disclosure of Protected Health Information.
2. De-identified Health Information that has been re-identified may not be disclosed or used except as otherwise permitted under Kewaunee County's policies for disclosure and use of Protected Health Information.