NATIONAL ASSOCIATION of COUNTIES NACo

Team Planning for Data-Driven Justice

TEAM PLANNING FOR DATA-DRIVEN JUSTICE

Introduction

The following exercises, worksheets and action plan are collectively designed to guide communities through the development of their strategies to share data across systems. In order to complete these activities, your community should have assembled a team or work group to identify the opportunities to reduce the cycling of high-utilizers through justice, health and human services systems. Teams are encouraged to work through the exercises first, followed by the worksheets and then the action plan. The exercises are designed to demonstrate to team members the value of data integration, while also illustrating the challenges of collecting data and information from multiple systems, and to help your team identify its data integration goals. The worksheets are designed to provide teams with additional information needed to identify priorities, challenges, opportunities, potential partners and more that are vital to identifying the next steps and developing an action plan. The action plan is intended to identify specific steps your team will take to achieve its top priorities/goals related to developing a data-driven strategy.

A QUICK NOTE ON THE DISTINCTION BETWEEN DATA SHARING AND DATA INTEGRATION

While often used interchangeably, data sharing and data integration are distinct concepts. It is important to understand what is meant by each in order to better identify the goals of your DDJ strategy.

Similarities between data sharing and data integration: In both cases information is shared between separate systems (e.g., law enforcement and behavioral health) to coordinate services and improve individual outcomes.

Differences between data sharing and data integration: Generally speaking, **data sharing** is less focused on identifying a technology solution, and often relies on interpersonal relationships between representatives from various systems and manual processes set up among them. The methods of sharing typically require a representative of a system to actively seek out information for a specific individual/client. Sharing, in this way, is in response to a request. People who engage in data sharing typically use communication methods such as telephone calls or email. By comparison, **data integration** generally achieves outcomes similar to data sharing, but does so in a more automated way, often relying on technology solutions that are able to pull the desired information from various systems and meaningfully combine it to identify not only high-utilizers but also the services that can help improve their outcomes. Data integration is less manual and can identify high-utilizers and service needs on a large scale rather than on a case-by-case basis.

Data integration necessarily includes the idea of data sharing, but data sharing does not necessarily mean data are integrated at a systems level.

Sharing data: When we "share data," we can mean we are doing data sharing or data integration. This phrase simply conveys that data are being shared across systems in some way, shape or form.

Contents

In collaboration with the National Association of Counties and the Laura and John Arnold Foundation, the Substance Abuse and Mental Health Services Administration convened the Data-Driven Justice and Behavioral Health Design Institute ("Design Institute") in September 2017 in Rockville, Md. At the Design Institute, teams from 13 jurisdictions involved in the Data-Driven Justice Initiative learned about and discussed how to develop integrated data systems for the sharing of individual-level information to effectively coordinate care, treatment and services for high-utilizers of justice, health and human services systems. Teams completed exercises and worksheets and drafted action plans similar to the ones included here as part of their attendance at the Design Institute.

Team Exercise 1: Create Two High-Utilizer Case Studies

The purpose of this exercise is to identify challenges and opportunities to improve the efficiency and/or processes of identifying individuals who have complex physical health, behavioral health, criminal justice and social service needs and are high-utilizers of multiple services and systems. Pay attention to the challenges of collecting information from multiple systems and note any areas where data integration could simplify the process and add value to your community's efforts to improve outcomes for high-utilizers. This exercise will show how integrating information on high-utilizers leads to new and additional information on their service use and needs.

The goal of the case study exercise is to do your best to track the different systems (or touchpoints) two individual high-utilizers in your community have come into contact with over the past 12 months.

INSTRUCTIONS

1. To keep things simple, work with the law enforcement and emergency services representatives on your team to select two individuals with whom they regularly come into contact. Your team does not need to take a scientific approach toward this exercise. There is no need to pull up records to see with whom they come into contact the most (unless the team would like to). In most cases, law enforcement and emergency services have a number of names that come to mind when asked who they encounter most frequently.
2. Have each representative on the team work within their respective agency to pull records for each individual identified for these case studies.
3. Complete *Team Exercise 2: Create a Case Study Summary* for each individual using the information that was pulled by each service system.
4. Meet as a team to discuss the process it took to pull this information and discuss the insights and challenges gleaned from completing this exercise. Use the following discussion questions to guide the conversation and fill out the worksheet with the responses.

Note: These discussion questions are meant to serve as a guide. Do not feel limited to just these questions; we encourage you to allow the conversation to go beyond the scope of the what is suggested below.

a) Describe the process your team went through to collect the information necessary for this exercise. Were there parts that were easier than others? What were the challenges you faced?

b) Based on the information you collected for each case study, were there any points where your team felt that your community responded well to help improve outcomes for either of the individuals in your case studies? If yes, describe how the sharing of data helped reveal that. If no, discuss how this sharing of data helped to uncover that:

c) Based on the information you collected for each case study, does your team feel that there were points in each individual's past where the community could have intervened differently to improve his or her health, behavioral health, criminal justice or social outcomes? If yes, describe how sharing data helped reveal that. If no, were there any other useful insights about each individual that sharing data revealed?

d) Ask each team member how he or she would use this level of data sharing, or how he or she thinks service delivery would benefit from having access to integrated data for more clients. Describe their responses below:

e) Did this exercise reveal anything surprising about the individuals who were subjects of the case studies or your community's processes and/or systems?

f) Based on this exercise, is there anything (e.g., policies, rules, interventions, etc.) your team believes should be reevaluated or changed?

g) Based on the response above, how could sharing data could help with improving policies, rules, interventions, etc.?

Team Exercise 2:
Create a Case Study Summary

Fill out the summary information for one of the individuals you have selected *Team Exercise 1: Create Two High-Utilizer Case Studies*. Note: There should be absolutely no personally identifiable information included on this document or any other materials related to these exercises. For further guidance, please consult this guide provided by the Office of Civil Rights at the U.S. Department of Health and Human Services:
www.hhs.gov/hipaa/for-professionals/privacy/special-topics/de-identification/index.html#standard

Case Study # _________

Age of individual:
Sex of individual:
Is the individual known to be homeless? Yes / No
Does the individual have a case manager assigned to him/her? Yes / No

For each activity below, please provide total number for the past 12 months:

Contacts with law enforcement:
Contacts with EMS:
Nights in jail:
Contacts with hospital ER:
Nights spent in hospital (in-patient):
Nights spent at a homeless shelter/facility:
Contacts made with behavioral health authority/agency:
Contacts made with case manager (if applicable):

While you are working with the appropriate personnel to collect the information for the above questions, also collect ***estimated*** costs associated with the above listed services:

Cost of a single contact with law enforcement:
Cost of a single contact with EMS:
Cost of one night in jail:
Cost of one ER visit for the issue for which this individual usually is there (e.g., overdose):
Cost of one night spent in-patient in a hospital for the issue for which this individual usually is there:
Cost of one night spent at a homeless shelter/facility:
Cost of one contact made with behavioral health authority/agency:
Cost of one contact made with case manager (if applicable):

Multiply the cost estimates you have collected by the total number of contacts made by this individual for each service, then add them together (e.g., multiply the cost of a single contact with EMS by the number of times this individual had contact with EMS).

Total estimated cost over 12 months: $ _________

a) Using your team members' personal knowledge of this individual, draft a short qualitative summary of this individual:

b) Are there any notable comments or anecdotes that members of your team have regarding this individual? Again, no personally identifiable information should be included:

c) Using the profile you have created for this individual by manually integrating data across systems, discuss with your team what intervention(s) could improve the outcomes of this individual:

Team Exercise 3: Identify Your Data Integration Goals

The purpose of this exercise is to help your team articulate and clarify the ultimate goals for your community's effort to integrate and use data from separate systems. You will use the responses to this exercise as the foundation for many of the conversations surrounding the development of your team's DDJ action plan. It is important that your team work together, ideally in person, to complete this exercise before identifying and developing actionable next steps for achieving your data integration goals.

INTEGRATING DATA ACROSS SYSTEMS

1. What would be your team's ideal way of sharing and integrating data across agencies/organizations? What features would it include (e.g., a mobile application for law enforcement; a shared database with a single interface)? In two sentences, develop an elevator pitch to describe the ideal way of sharing and integrating data:

2. Describe the ideal way of sharing and integrating data in more detail, including but not limited to, what organizations would be involved, what types of data would be shared and the reason for certain features:

PRIVACY AND SECURITY

3. Are there HIPAA-related concerns that have prevented your community from moving forward on your stated goal from questions 1 and 2 of this assignment? If yes, describe them below. (Note: If you don't know, try to find out before completing this section.) If no, list your community's next top priority for data integration for which you expect to experience HIPAA-related challenges:

4. Are there state/local legal restrictions or policies that have prevented your community from making progress on your stated goal in questions 1 and 2? If yes, describe the challenges/concerns related to these state/local legal restrictions. If no, list your community's next top priority for data integration for which you expect to experience state/local legal or policy-related challenges:

TEAM PLANNING FOR DATA-DRIVEN JUSTICE

Worksheet: Policy Framework

The goal of this exercise is to help elected officials and other community leaders:

- Understand their role and influence in advancing DDJ-related priorities in their community
- Understand how to use data to drive effective policymaking that produces outcomes rather than outputs, and
- Understand how data can help make the case for more effective budget allocations.

FORMALIZING PARTNERSHIPS

1. List the government agencies and community organizations that your county has already formalized partnerships with to take a data-driven approach to improving outcomes for your community's high-utilizers:

- ____
- ____
- ____
- ____
- ____

2. List the government agencies and community organizations that your county has not yet developed a formalized partnership with and describe how a partnership with each organization can be beneficial to improving outcomes for your community's high-utilizers:

Organization: ________________________________

Benefit: ________________________________

Organization: ________________________________

Benefit: ________________________________

Organization: ________________________________

Benefit: ________________________________

Organization: ________________________________

Benefit: ________________________________

Organization: ________________________________

Benefit: ________________________________

3. List the government agencies and community organizations that you know, or expect, will be resistant to moving toward a data-driven approach and the reasons you think they may be resistant:

Organization: ______________________________

Reason for resistance: ______________________________

Organization: ______________________________

Reason for resistance: ______________________________

Organization: ______________________________

Reason for resistance: ______________________________

Organization: ______________________________

Reason for resistance: ______________________________

Organization: ______________________________

Reason for resistance: ______________________________

4. How might you use your successes with agencies/organizations you are currently working with to help persuade the more-resistant partners? What evidence or positive outcomes can you share?

USING YOUR DATA TO DEVELOP POLICY

5. How does your county currently use data to develop policy about its high-utilizer population and criminal justice, behavioral health and other related systems?

6. How do you hope to use data to make future policy decisions about your high-utilizer population and criminal justice, behavioral health and other related systems?

7. How can you ensure that data that are useful to you for developing effective policy are collected, reported and maintained?

8. What data do you need to collect to discover if your partnerships are having positive outcomes or not?

9. While taking a data-driven approach may cost more up front than the status quo, it is likely to be a better use of resources in the long run. How will you ensure that data that are useful for budgeting are being tracked, collected, reported and maintained?

10. What data do you need to help your community understand how your data-driven approaches are resulting in improved outcomes?

TIMELINE

List five things that you or your team will do to address your needs or achieve your goals related to policymaking for each timeframe listed below. For each task, identify one or two team members who will be responsible for ensuring the task gets completed within the timeframe.

Finally, identify who will be the point of contact and check with all team members to make sure they are on track with completing their tasks here:

Within the first 30 days after your return, your team will:

1. Task:

   Team member(s) in charge:

2. Task:

   Team member(s) in charge:

3. Task:

   Team member(s) in charge:

4. Task:

   Team member(s) in charge:

5. Task:

   Team member(s) in charge:

By 60 days after your return, your team will:

1. Task: ______________________________

   Team member(s) in charge: ______________________________

2. Task: ______________________________

   Team member(s) in charge: ______________________________

3. Task: ______________________________

   Team member(s) in charge: ______________________________

4. Task: ______________________________

   Team member(s) in charge: ______________________________

5. Task: ______________________________

   Team member(s) in charge: ______________________________

By 90 days after your return, your team will:

1. Task: ______________________________

   Team member(s) in charge: ______________________________

2. Task: ______________________________

   Team member(s) in charge: ______________________________

3. Task: ______________________________

   Team member(s) in charge: ______________________________

4. Task: ______________________________

   Team member(s) in charge: ______________________________

5. Task: ______________________________

   Team member(s) in charge: ______________________________

TEAM PLANNING FOR DATA-DRIVEN JUSTICE

Worksheet: Integrating Data Across Systems

The goal of this exercise is to help elected officials and other community leaders:

- Build a shared understanding of their community's unique data landscape, and
- Identify the barriers to sharing data across systems.

CURRENT STATE OF SHARING DATA
Who are the stakeholders?

1. List the agencies and organizations that you have already connected with for the purposes of completing *Team Exercise 1: Create Two High-Utilizer Case Studies:*

- ____________________
- ____________________
- ____________________
- ____________________
- ____________________

2. List other agencies and organizations in your community that you have not yet developed a partnership with that might also have information about the individuals you identified for *Team Exercise 1: Create Two High-Utilizer Case Studies*:

- ____________________
- ____________________
- ____________________
- ____________________
- ____________________

3. What information do these agencies and organizations collect about the high-utilizers they interact with?

Organization: ____________________

Information: ____________________

Organization: ____________________

Information: ____________________

Organization: ____________________

Information: ____________________

Organization: ____________________

Information: ____________________

Organization: ____________________

Information: ____________________

4a. List the methods, if known, the above stakeholders use to record and store the information they collect (e.g., hand-written records, directly inputting information into database [if you know what database, include that] or transferring hand-written notes into an electronic database):

Organization: ____________________

Recording method: ____________________

Organization: ____________________

Recording method: ____________________

Organization: ____________________

Recording method: ____________________

Organization: ____________________

Recording method: ____________________

Organization: ____________________

Recording method: ____________________

4b. What are the main ways the stakeholders identified in question 4a share data?

4c. How do the recording methods impact how the stakeholders identified in question 4a share data?

5. List examples of the best data-sharing and/or data-integration partnerships that currently exist in your community. These examples may come from outside of the justice, health and human services systems:

- ____________________
- ____________________
- ____________________
- ____________________
- ____________________

FUTURE STATE OF SHARING DATA

6. Based on the responses to *Team Exercise 3: Identify Your Data Integration Goals,* what organizations should contribute information on high-utilizers and be involved in setting up the ideal way of sharing and integrating data across systems? List the organizations, what information they have that would be useful for others, who in the organization would need to buy-in to participating and the challenges with getting their buy-in:

Organization: ____________________

What data would be useful: ____________________

Buy-in needed from: ____________________

Anticipated challenges: ____________________

Organization: ____________________

What data would be useful: ____________________

Buy-in needed from: ____________________

Anticipated challenges: ____________________

Organization: ____________________

What data would be useful: ____________________

Buy-in needed from: ____________________

Anticipated challenges: ____________________

Organization: ____________________

What data would be useful: ____________________

Buy-in needed from: ____________________

Anticipated challenges: ____________________

Organization: ____________________

What data would be useful: ____________________

Buy-in needed from: ____________________

Anticipated challenges: ____________________

Organization: ______________________________

What data would be useful: ______________________________

Buy-in needed from: ______________________________

Anticipated challenges: ______________________________

ACTIONS YOU CAN TAKE NOW

7. Based on the goals identified in *Team Exercise 3: Identify Your Data Integration Goals,* think through which agencies/organizations will be key partners as you take the first steps toward data integration. Which stakeholders would be on board now with sharing their data and what data would they be ready to share? Will there need to be a legal agreement to integrate data? Who is the key decision maker that needs to be engaged and what other personnel should be involved as the process moves forward (e.g., privacy officers, IT specialists, case managers)?

Organization: ______________________________

Data ready for sharing: ______________________________

Is a legal agreement needed? Yes or No (circle one)

Key decision maker: ______________________________

Other personnel to involve: ______________________________

Organization: ______________________________

Data ready for sharing: ______________________________

Is a legal agreement needed? Yes or No (circle one)

Key decision maker: ______________________________

Other personnel to involve: ______________________________

Organization: ______________________________

Data ready for sharing: ______________________________

Is a legal agreement needed? Yes or No (circle one)

Key decision maker: ______________________________

Other personnel to involve: ______________________________

Organization: ______________________________

Data ready for sharing: ______________________________

Is a legal agreement needed? Yes or No (circle one)

Key decision maker: ______________________________

Other personnel to involve: ______________________________

Organization: ______________________________

Data ready for sharing: ______________________________

Is a legal agreement needed? Yes or No (circle one)

Key decision maker: ______________________________

Other personnel to involve: ______________________________

TIMELINE

List five things that you or your team will do to address your needs or achieve your goals related to integrating data across systems for each timeframe listed below. For each task, identify one or two team members who will be responsible for ensuring the task gets completed within the timeframe.

Finally, identify who will be the point of contact and check with all team members to make sure they are on track with completing their tasks here:

____

Within the first 30 days after your return, your team will:

1. Task: ______________________________

   Team member(s) in charge: ______________________________

2. Task: ______________________________

   Team member(s) in charge: ______________________________

3. Task: ______________________________

   Team member(s) in charge: ______________________________

4. Task: ______________________________

   Team member(s) in charge: ______________________________

5. Task: ______________________________

   Team member(s) in charge: ______________________________

By 60 days after your return, your team will:

1. Task: ______________________________

   Team member(s) in charge: ______________________________

2. Task: ______________________________

   Team member(s) in charge: ______________________________

3. Task: ______________________________

   Team member(s) in charge: ______________________________

4. Task: ______________________________

   Team member(s) in charge: ______________________________

5. Task: ______________________________

   Team member(s) in charge: ______________________________

By 90 days after your return, your team will:

1. Task: ______________________________

   Team member(s) in charge: ______________________________

2. Task: ______________________________

   Team member(s) in charge: ______________________________

3. Task: ______________________________

   Team member(s) in charge: ______________________________

4. Task: ______________________________

   Team member(s) in charge: ______________________________

5. Task: ______________________________

   Team member(s) in charge: ______________________________

Worksheet: Privacy and Legal Considerations

The goal of this exercise is to help elected officials and other community leaders:

- Become familiar with the major privacy and legal considerations associated with data sharing and integration
- Clarify the steps county teams will need to take to navigate the boundaries of HIPAA and other state or local policies, and
- Assist county teams with developing a data integration plan that considers the full range of legal issues that surround the sharing of data across systems.

Disclaimer: This worksheet is provided as information only and does not constitute legal advice. Any questions about HIPAA, 42 CFR Part 2 or other state and local policies and regulations should be directed to legal counsel.

HIPAA

1a. Using your responses from *Team Exercise 3: Identify Your Data Integration Goals,* list the top data integration or sharing goal for which you have—or expect to have—HIPAA-related implementation challenges:

____

____

____

____

____

1b. List key decision makers and lawyers/counsel for each department/organization that will need to be involved in data sharing and/or integration and privacy conversations:

Department/organization: ____________________________

Key decision maker: ____________________________

Lawyer/counsel: ____________________________

Department/organization: ____________________________

Key decision maker: ____________________________

Lawyer/counsel: ____________________________

Department/organization: ____________________________

Key decision maker: ____________________________

Lawyer/counsel: ____________________________

Department/organization: ______________________________

Key decision maker: ______________________________

Lawyer/counsel: ______________________________

Department/organization: ______________________________

Key decision maker: ______________________________

Lawyer/counsel: ______________________________

1c. What are the top five questions you would like answered by the lawyers/counsels identified in question 1b about how to advance your work on your data integration or sharing goal?

- ______________________________
- ______________________________
- ______________________________
- ______________________________
- ______________________________

1d. Brainstorm a list of questions you anticipate counsel having regarding the project/policies you identified in question 1a. Do your best to answer them, or list the name of someone who can provide the answer:

Question: ______________________________

Answer: ______________________________

Question: ______________________________

Answer: ______________________________

Question: ______________________________

Answer: ______________________________

Question: ______________________________

Answer: ______________________________

Question: ______________________________

Answer: ______________________________

STATE AND LOCAL LAWS AND POLICIES

2a. Using your responses from *Team Exercise 3: Identify Your Data Integration Goals,* identify a data-sharing or integration project or policy your community wants to implement but has not due to state or local legal restrictions:

2b. What are the goals/intended outcomes of this project/policy?

-
-
-
-
-

2c. Are there ways to achieve the goals/intended outcomes without violating state or local law? List potential alternatives or solutions:

-
-
-
-
-

2d. Identify questions related to state or local law that you have for your local counsel. Identify the name of the appropriate counsel each question should be directed toward (or a point of contact who could direct you to the appropriate counsel):

Question:

Name:

Question:

Name:

Question:

Name:

Question:

Name:

Question: ______________________________

Name: ______________________________

2e. Brainstorm a list of questions you anticipate your counsel having regarding the project/policies you identified in question 2a. Do your best to answer them, or list the name of someone who can provide the answer:

Question: ______________________________

Answer: ______________________________

Question: ______________________________

Answer: ______________________________

Question: ______________________________

Answer: ______________________________

Question: ______________________________

Answer: ______________________________

Question: ______________________________

Answer: ______________________________

3. Refer to the organizations that you identified in the *Worksheet: Integrating Data Across Systems.* Which stakeholder organizations do you think would eventually buy in and share their data with some policy changes? List the policy/policies that would need to change and indicate whether you believe they are in place to protect privacy or simply there out of tradition:

Organization: ______________________________

Policy: ______________________________

Protects Privacy or Tradition (circle one)

Why? ______________________________

Organization: ______________________________

Policy: ______________________________

Protects Privacy or Tradition (circle one)

Why? ______________________________

Organization: ______________________________

Policy: ______________________________

Protects Privacy or Tradition (circle one)

Why? ______________________________

Organization: ______________________________

Policy: ______________________________

Protects Privacy or Tradition (circle one)

Why? ______________________________

Organization: ______________________________

Policy: ______________________________

Protects Privacy or Tradition (circle one)

Why? ______________________________

PRIVACY BEST PRACTICES

4. What are some examples of the best practices in privacy your county's agencies and organizations currently use to protect individual-level data?

- ______________________________
- ______________________________
- ______________________________
- ______________________________
- ______________________________

5. What are some areas related to protecting privacy your team members believe their agencies/organizations can improve?

- ______________________________
- ______________________________
- ______________________________
- ______________________________
- ______________________________

6. Using your goals from questions 1a and 2a of this worksheet, list the organizations that will be involved in accomplishing those goals. Then identify the privacy/data protections that each organization will need to implement (e.g., are there certain parts of a person's medical history that one agency can access, but another organization does not need to see? In this case, can a data partition be created? Can an agency implement a consent form?):

Organization: ______________________________

Privacy/data best practices/restrictions to implement:

- ______________________________
- ______________________________

Organization: ______________________________

Privacy/data best practices/restrictions to implement:

- ______________________________
- ______________________________

Organization: ______________________________

Privacy/data best practices/restrictions to implement:

- ______________________________
- ______________________________

Organization: ______________________________

Privacy/data best practices/restrictions to implement:

- ______________________________
- ______________________________

Organization: ______________________________

Privacy/data best practices/restrictions to implement:

- ______________________________
- ______________________________

LEGAL FORMS AND AGREEMENTS

Business Associate Agreements (BAAs)/Qualified Service Organization Agreements (QSOAs)

7a. The privacy protections afforded to individuals' health information applies to organizations that are "covered entities." Covered entities include health plans, health care clearinghouses and any health care provider who transmits information in electronic form in connection with certain transactions. For help determining if an organization is a covered entity, the U.S. Department of Health and Human Services developed a decision-making tool, which is available at: **www.cms.gov/Regulations-and-Guidance/Administrative-Simplification/HIPAA-ACA/AreYouaCoveredEntity.html**.

In the context of achieving your data integration goals, list the organizations that are subject to HIPAA:

- ______________________________
- ______________________________
- ______________________________
- ______________________________
- ______________________________

7b. Business associates are persons or entities that perform certain functions or activities that use or disclose protected health information (PHI) on behalf of or in service to a covered entity. For more information on business associates, visit www.hhs.gov/hipaa/for-professionals/privacy/guidance/business-associates/index.html.

In the context of achieving your data integration goals, will any organization that is a covered entity have another organization using or disclosing PHI on their behalf? For example, will a consultant analyze service use data that is not for research purposes? If so, a Business Associate Agreement (BAA) will be necessary between the participating covered entity and the business associate. List the organizations and their business associates below:

- ______
- ______
- ______
- ______
- ______

8a. Identify which organizations are subject to 42 CFR Part 2 (a "Part 2 program"). This will include organizations that "hold themselves out" as providing substance abuse disorder diagnosis, treatment or referral for treatment and receives federal assistance, including if it is authorized, licensed, certified or registered by the federal government, receives federal funding, has tax exempt status or is conducted directly by the federal government. List Part 2 programs below:

- ______
- ______
- ______
- ______
- ______

8b. For any Part 2 program, will another organization provide services, such as data processing or other professional services, to the program and receive, store, process or otherwise handle any patient records from the program? If so, a Qualified Service Organization Agreement (QSOA) will be necessary between the Part 2 program and the organization receiving substance use disorder treatment information.

In the context of achieving your data integration goals, list the organizations that are subject to 42 CFR Part 2 and will need a QSOA:

- ______
- ______
- ______
- ______
- ______

Authorization and Consent Forms

Under HIPAA, a covered entity is permitted, but not required, to use and disclose PHI, without an individual's authorization, for the following purposes or situations: 1) to the individual (unless required for access or accounting of disclosures); 2) treatment, payment and health care operations; 3) opportunity to agree or object; 4) incident to an otherwise permitted use and disclosure; 5) public interest and benefit activities; and 6) limited data set for the purposes of research, public health or health care operations. For more information on permitted uses and disclosures, visit **https://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/index.html**.

Additional information on permitted disclosures to law enforcement can be found at **https://www.hhs.gov/hipaa/for-professionals/faq/2073/may-covered-entity-collect-use-disclose-criminal-data-under-hipaa.html** and at **https://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/understanding/special/emergency/final_hipaa_guide_law_enforcement.pdf**.

When an individual's authorization to disclose his or her PHI is required, the following questions are intended to provide guidance on developing authorization forms that comply with HIPAA's privacy protections. See 45 CFR Part 164 for more information on PHI security and privacy.

9a. Who will ensure that the authorization has the "core elements" required by law?

9b. Will the authorization include a description about the purpose(s) for requesting or disclosing PHI?

9c. What will be the expiration date or event?

9d. What will be the process for an individual to revoke an authorization?

Unlike HIPAA, which allows disclosures of PHI without authorization under certain conditions (e.g., for treatment, payment and health care operations), 42 CFR Part 2 requires patient consent for the disclosure of information with very limited exceptions. If a Part 2 program wants to disclose information identifying someone as having a current or past substance use disorder or as a participant in a Part 2 program for reasons other than the exceptions stated in law, then individual consent is required. See 42 CFR Part 2 Subpart C for information on disclosures with patient consent.

10a. Who will ensure that the consent meets the requirements of Part 2?

10b. What will be the expiration date or event? How will it last no longer than reasonably necessary to serve the purpose of the program?

10c. How will the consent identify the specific individuals and/or entities who will receive Part 2 information?

10d. How will individuals ensure that any disclosure based on a Part 2 consent is accompanied by a notice that the information is subject to Part 2?

TIMELINE

List five things your team will do to address privacy and legal considerations for each timeframe listed below. For each task, identify one or two team members who will be responsible for ensuring the task gets completed within the timeframe.

Finally, identify who will be the point of contact and will check with all team members to make sure they are on track with completing their tasks here:

Within the first 30 days after your return, your team will:

1. Task:

   Team member(s) in charge:

2. Task:

   Team member(s) in charge:

3. Task:

   Team member(s) in charge:

4. Task:

   Team member(s) in charge:

5. Task:

   Team member(s) in charge:

By 60 days after your return, your team will:

1. Task:

   Team member(s) in charge:

2. Task:

   Team member(s) in charge:

3. Task: ____________________

   Team member(s) in charge: ____________________

4. Task: ____________________

   Team member(s) in charge: ____________________

5. Task: ____________________

   Team member(s) in charge: ____________________

By 90 days after your return, your team will:

1. Task: ____________________

   Team member(s) in charge: ____________________

2. Task: ____________________

   Team member(s) in charge: ____________________

3. Task: ____________________

   Team member(s) in charge: ____________________

4. Task: ____________________

   Team member(s) in charge: ____________________

5. Task: ____________________

   Team member(s) in charge: ____________________

TEAM PLANNING FOR DATA-DRIVEN JUSTICE

Worksheet: University Research Partnerships

The goal of this worksheet is to help elected officials and community leaders:

- Understand the role of university research partnerships in a data-driven approach
- Consider ways to navigate resistance when it comes to governments sharing data with outside entities, and
- Take advantage of university partnerships to produce results that outlast time-limited funding/support.

THINGS TO CONSIDER WHEN SETTING UP UNIVERSITY RESEARCH PARTERNSHIPS

1. What universities/colleges are in your area?

- ____________________
- ____________________
- ____________________
- ____________________
- ____________________

2. Who can you contact at these universities/colleges to begin a conversation about setting up a partnership?

University/college: ____________________

Contact: ____________________

University/college: ____________________

Contact: ____________________

University/college: ____________________

Contact: ____________________

University/college: ____________________

Contact: ____________________

University/college: ____________________

Contact: ____________________

3. Using DDJ-related data, what type of research do you think your community could benefit from?

____

____

____

____

____

4. How would the research described above benefit your community?

5. What organizations in your community should be involved in the research described above?

Organization:

Involvement:

Organization:

Involvement:

Organization:

Involvement:

Organization:

Involvement:

Organization:

Involvement:

6. What organizations or individuals might oppose joining a university partnership? What might their reasons be?

Organization/individual:

Reason(s):

Organization/individual:

Reason(s):

Organization/individual:

Reason(s):

Organization/individual:

Reason(s):

Organization/individual:

Reason(s):

7. What information or resources do you think would be helpful in response to the objections raised?

-
-
-
-
-

8. What data protections should be included in a data-sharing agreement between your county and the university?

-
-
-
-
-

TIMELINE

List five things your team will do to explore university partnerships for each timeframe listed below. For each task, identify one or two team members who will be responsible for ensuring the task gets completed within the timeframe.

Finally, identify who will be the point of contact and check with all team members to make sure they are on track with completing their tasks here:

Within the first 30 days after your return, your team will:

1. Task:

   Team member(s) in charge:

2. Task:

   Team member(s) in charge:

3. Task:

   Team member(s) in charge:

4. Task:

   Team member(s) in charge:

5. Task:

   Team member(s) in charge:

By 60 days after your return, your team will:

1. Task: ______________________________
   Team member(s) in charge: ______________________________
2. Task: ______________________________
   Team member(s) in charge: ______________________________
3. Task: ______________________________
   Team member(s) in charge: ______________________________
4. Task: ______________________________
   Team member(s) in charge: ______________________________
5. Task: ______________________________
   Team member(s) in charge: ______________________________

By 90 days after your return, your team will:

1. Task: ______________________________
   Team member(s) in charge: ______________________________
2. Task: ______________________________
   Team member(s) in charge: ______________________________
3. Task: ______________________________
   Team member(s) in charge: ______________________________
4. Task: ______________________________
   Team member(s) in charge: ______________________________
5. Task: ______________________________
   Team member(s) in charge: ______________________________

TEAM PLANNING FOR DATA-DRIVEN JUSTICE

Data-Driven Justice Action Plan

ACTION PLANNING GUIDELINES

Complete the action plan below for your **top three priorities**. We encourage you to add priorities as your team makes progress on executing the action plan. Please remember that this is an interactive process and all team members should have input. Finally, please note that the team's plans do not have to be new. Think about what is working and the positive things already happening in your community, and discuss ways to use existing resources. As you decide on your action steps, also consider factors that may prevent you from meeting your priorities and how you can address those factors so they do not impact your overall success.

Priorities	Action Steps	Resources and Stakeholders	Timeline	Outcomes
Top Priority:				
Priority 2:				
Priority 3:				