CDC / State of Minnesota Data Use Agreement

Lauren Wattenmaker, MPH

Team Lead, NHSN Policy & Operations

Division of Healthcare Quality Promotion

Centers for Disease Control and Prevention

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Housekeeping

- Today's call is intended for **Minnesota NHSN members only**
- DUA execution date **September 26, 2017**
- Data access will begin **February 15, 2018**

Data Use Agreement

- Agreement between CDC's National Healthcare Safety Network (NHSN) and the Minnesota Department of Health

Data Use Agreement
Between
Minnesota Department of Health
And
Centers for Disease Control and Prevention ("CDC"), National Healthcare Safety Network ("NHSN")

The Minnesota Department of Health ("MDH") and CDC/NHSN enter into this Data Use Agreement (the "Agreement") effective September 11, 2017 ("Effective Date"). CDC/NHSN and the MDH shall be referred to individually as a "Party," or collectively as the "Parties."

This Agreement establishes a formal data access and data use relationship between CDC/NHSN and the MDH. This Agreement covers individual- and institution-identifiable data, received by the CDC/NHSN subject to the Federal Privacy Act, 5 USC §§552 and 552a, from the NHSN Patient Safety Component, Healthcare Personnel Safety Component, and Dialysis Component as listed in the attached document that have been voluntarily submitted to NHSN by healthcare institutions in Minnesota and for which there is no State or applicable local mandate for reporting of such individual- or institution-identifiable data ("COVERED DATA"). However, COVERED DATA shall NOT include data pertaining to federal or tribal healthcare institutions.

The Parties shall abide by all applicable Federal and State laws, rules, and regulations including, without limitation, all patient confidentiality and medical record requirements and any applicable Institutional Review Board ("IRB") requirements.

STATE'S USES OF COVERED DATA

MDH agrees to use the COVERED DATA for surveillance and/or prevention purposes only (e.g., evaluating the impact of a targeted program to reduce central line-associated bloodstream infections). MDH specifically agrees not to use the COVERED DATA obtained under this data use agreement for purpose of public reporting of institution-specific data or any regulatory or punitive actions against healthcare institutions, such as a fine or licensure action. The Parties acknowledge that COVERED DATA is limited to those data specified in the attached document, which identifies the complete set of data items, e.g., facility survey data, central line associated bloodstream infection numerator data, that MDH will have access to as a result of this Agreement.

MDH agrees to designate an NHSN Group Administrator and CDC/NHSN agrees to grant the State's designated NHSN Group Administrator access to the State's COVERED DATA. In the event that the NHSN Group Administrator leaves that role prior to assigning a replacement via the NHSN application, CDC/NHSN requires notification in writing on official letterhead from the signatory or the signatory's successor to assure continuity.

- The designated NHSN Group Administrator for MDH is Brittany VonBank, Epidemiologist, Brittany.VonBank@state.mn.us, Saint Paul, Minnesota.

MDH agrees that access to individual- and institution-identifiable data provided under the terms of the Agreement will be limited solely to Department staff or contractors who are explicitly authorized to use those data for surveillance and/or prevention purposes only.

Background

- Since October 2011, CDC's Division of Healthcare Quality Promotion (DHQP) has provided state health departments with additional access to data reported by healthcare facilities in their jurisdiction to CDC's **National Healthcare Safety Network (NHSN).**

- Since 2006, CDC has provided health departments in states with mandatory HAI reporting requirements with access to mandatorily reported data in their jurisdiction.

- Now CDC is making provisions for health departments — regardless of whether their state has a mandatory reporting requirement — to improve access to data reported from facilities in their state to NHSN that are outside the scope of a state mandate.

- The additional provisions are designed to **allow data access <u>solely for the purposes of surveillance and prevention.</u>**

What is the DUA?

- The Data Use Agreement is the **starting point** in discussions between state health departments and CDC's DHQP.

- **How it works:** after a state department of health has worked with CDC's DHQP to complete a DUA - and before the health department begins accessing new NHSN data, DHQP will provide healthcare facilities in the state's jurisdiction the opportunity to opt–out of voluntary reporting to NHSN. Some healthcare facilities voluntarily report data to NHSN, even in states with HAI reporting mandates. Those facilities will be able to stop their voluntary NHSN reporting before the new data access provisions go into effect. CDC's DHQP and state health departments want voluntary NHSN reporting to continue wherever possible, while simultaneously enabling health department access to those data for surveillance and prevention programs.

- The **overarching goal** of these access provisions is to enhance the value of data reported to NHSN for public health purposes.

FAQs

▪ **How are the data going to be used by the state health department?**
The data will be used for healthcare-associated infection (HAI) surveillance and prevention purposes and not legal and regulatory action.

▪ **Who in the state health department will have access to the data?**
Access to the data is intended for the state HAI program for prevention activities. To identify the HAI coordinator in your state health department click on your state at CDC's state-based HAI prevention website: http://www.cdc.gov/HAI/state-based/index.html.

▪ **Will facility-identifiable data be made publicly available?**
No. Making facility-identifiable data publicly available would be a violation of the data use agreement and CDC will terminate the data use agreement immediately.

FAQs

- **What data will be included in the data use agreement?**
  Each data use agreement is modeled using a template developed by CDC and customized by CDC and the state health department to reflect local data needs, protections, and policies. If your state has a data use agreement, CDC will make the agreement publicly available on [CDC's website](). It is important to note that past data (i.e., data that was entered into NHSN prior to the opt-out period) will not be shared; only future data will be shared with the health department. NHSN data required by state law to be shared with the health department will continue to be shared as usual (by facilities joining a state Group in NHSN and accepting a template for data sharing).

- **Do health care facilities need to take any action as a result of this DUA?**
  No, facilities do not need to do anything. CDC will confer data rights on behalf of the health care facilities whose data will be accessible via the DUA.

FAQs

- **What guarantee does a facility have that a data use agreement will not be breached?**
  State health departments are taking an increasingly critical role in the prevention of HAIs. By sharing data, prevention needs can be identified, and tailored strategies can be planned and evaluated. State health departments would be motivated to abide by the data use agreement to gain access to HAI data in CDC's NHSN. A breach in this contract will end the contract, ending the data flow to the state health department.

- **Will facilities have to do anything additional within NHSN to participate in this program?**
  No additional steps will be necessary to share your data such as joining a state health department Group in NHSN. CDC will administer a special Group for your state health department and your facility will automatically be joined to the Group. Your NHSN Facility Administrator can view the data sharing template for this Group at any time from within the NHSN application.

FAQs

- **If the same data is on Centers for Medicare and Medicaid Services' (CMS') Compare websites, why does my state want it through a data use agreement with CDC?**
The data use agreement allows CDC to share data with the state health department sooner and with more detail than if the state uses CMS' Compare websites.

- **How does a state health department entering into a data use agreement benefit my facility?**
Many state health departments have an effective and collaborative relationship with facilities in their state, including the prioritizing of prevention programs and opportunities for undertaking complementary HAI prevention projects. The data use agreement may foster additional collaborations between facilities and health departments in this manner.

FAQs

▪ **Can a facility opt-out of voluntary reporting to NHSN to avoid access of data by the state health department?**
After a state health department has worked with CDC to complete a data use agreement and before the health department begins accessing new NHSN data, CDC will provide healthcare facilities in the state's jurisdiction the opportunity to opt out of voluntary reporting to NHSN. Some healthcare facilities voluntarily report to NHSN, even in states with HAI reporting mandates. Those facilities will be able to stop their voluntary NHSN reporting, before new data access provisions go into effect. CDC and state health departments want voluntary NHSN reporting to continue wherever possible, while simultaneously enabling health department access to those data for surveillance and prevention programs.

▪ **Are states required to have a data use agreement?**
No. Participation is at the discretion of each state.

FAQs

- **If our facility chooses to opt out of the data use agreement, can we still use NHSN for tracking and prevention of HAIs within our facility?**
It is possible to opt out of the data use agreement while still using NHSN for tracking and prevention of HAIs within a facility. There are two possible ways for a healthcare facility to opt out of the data use agreement. A facility could stop entering data into NHSN <u>or</u> remove select events from their monthly reporting plans. It is important to note that only data collected through surveillance that is included in a facility's monthly reporting plans will be shared with CMS. Furthermore, most states that have HAI reporting mandates require HAI surveillance to be in the monthly reporting plans.

- **Who at the state health department can a facility contact for additional information?**
To identify the HAI coordinator in your state health department click on your state at CDC's state-based HAI prevention website: http://www.cdc.gov/HAI/state-based/index.html

Minnesota Department of Health DUA Data Template

Data Use Agreement between CDC National Healthcare Safety Network and Minnesota Department of Health ("MDH")

Data File Specifications Template - Patient Safety Component

The template below can be used to describe which data from the NHSN Patient Safety Component will be shared with the state health department. Only data that is included in a facility's monthly reporting plan will be included in datasets shared with the state health department. "Time Period" of data shared with state health department will completed on template after signing of DUA. Please complete the template and provide to CDC/NHSN for further discussion.

Specify level of aggregation and patient identifiers to receive:

	Only requesting facility level aggregate data (no patient level data)	
X	Pt level data with all patient identifiers	
	Pt level data with no patient identifiers	
	Pt level data with specific patient identifiers (please select below)	
		DOB
		Gender
		Ethnicity
		Race
		Medicare #
		Name
		SSN
		Patient ID
		Birthweight (NICU only)

General and surveys:

X	Monthly reporting plans
X	Facility annual surveys

Device-Associated Module events and denominators:

Select event types of interest below:

	X	Central line-associated bloodstream infection (CLABSI)
	X	Catheter-associated urinary tract infection (CAUTI)
	X	Ventilator-associated events (VAE)
	X	Central line insertion practices (CLIP) - please note that requesting CLIP events will result in inserter code being shared
	X	Pneumonia (Vent)

	X	Pneumonia (Post Procedure)	

For these events, please specify the facility types and locations that will be shared with state health department below.

You will receive both event (numerator) and summary (denominator) data for the locations that you specify.

Plan	Time Period	Location Type (Ex - ICUs, Wards, etc)	Specific Facility Types and Locations (Ex - Acute Care, LTACH, CAH, Rehab, Psych, All Hospital types, ICUs, etc)
IN		All inpatient and outpatient units/wards reporting	Acute Care hospitals (including Critical Access Hospitals)
IN		All units/wards reporting	Long term acute care hospitals
IN		All units/wards reporting	Rehabilitation hospitals (aka Inpatient Rehabilitation Facilities)
IN		All units/wards reporting	Ambulatory Surgery Centers
IN			
IN			
			Note: VA & Military Hosptials are excluded from DUAs

Procedure-Associated Module events and denominators:

Select event types of interest below:

| | X | Surgical Site Infection (SSI) - please note that requesting SSI events/denominators will result in surgeon code being shared | |
| | X | Post-procedure Pneumonia (PPP) | |

For these events, please specify the facility types and procedures that will be shared with the state health departmentin the table below.

You will receive both event (numerator) and procedure (denominator) data for the locations that you specify.

Plan	Time Period	NHSN Procedure Category	Specific Facility Types and Settings (Inpatient, Outpatient, or Both)
IN		All	Acute Care Hospitals (including Critical Access Hospitals), both Inpatient and Outpatient
IN		All	Ambulatory Surgery Centers, Outpatient.
IN			
IN			
IN			
IN			

Antimicrobial Use and Resistance Module:

Select event types of interest below:

| | X | Antimicrobial Use (AU) | |
| | X | Antimicrobial Resistance (AR) | |

For these events, please specify the locations that will be shared with the state health department below.

Plan	Time Period	Location Type (FACWIDEIN or By Location)	
IN		All locations, by location	
IN			
IN			
IN			

MDRO Module events and denominators:

Select event types of interest below:

	X	Infection Surveillance	
	X	LabID Event - all specimens	
		LabID Event - blood specimens only	

Select organisms of interest below:

	X	MDR Acinetobacter	
	X	C. difficile	
	X	Ceph-R Klebsiella	
	X	CRE-Ecoli, CRE-Enterobacter, CRE-Klebsiella	
	X	MRSA	
	X	MSSA	
	X	VRE	

For these events, please specify the facility types and locations that will be shared with state health department below.

You will receive both event (numerator) and summary (denominator) data for the locations that you specify.

Plan	Time Period	Location Type (Ex - ICUs, FACWIDE, etc)	Specific Locations (Ex - All ICUs, FACWIDEIN, etc)
IN		Acute Care Hospitals	LABID events, FACWIDEIN; Infection Surveillance: All locations/units reporting
IN		Long Term Care Acute Care Hospitals	LABID events, FACWIDEIN; Infection Surveillance: All locations/units reporting
IN			
IN			
IN			
IN			
IN			
IN			

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MDRO Module Process and Outcome Measures			
Select process and outcome measures of interest below:			
		Hand Hygeine	
		Gown and Gloves	
		AST Adm	
		AST D/T	
		AST Incidence	
		AST Prevalence	
Select organisms of interest for AST Process and Outcome Measures below:			
		MRSA	
		VRE	
Please include any other comments that do not fit into the template structure in the field below.			

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Data File Specifications Template - Healthcare Personnel Safety Component

The template below can be used to describe which data from the NHSN Healthcare Personnel Safety Component will be shared with the state health department. Only data that is included in a facility's monthly reporting plan will be included in datasets shared with the state health department. "Time Period" of data shared with state health department will completed on template after signing of DUA. Please complete the template and provide to CDC/NHSN for further discussion.

General and Surveys:

X	HCW Data	
	X	With Identifiers
		Without Identifiers
X	Monthly Reporting Plans	
X	Annual Survey	
X	Seasonal Flu Survey	

Healthcare Worker Influenza Vaccination Module:

	X	HCW summary - Hospital flu vaccination data
	X	HCW summary - IRF flu vaccination data (free standing)
	X	HCW summary - IPF flu vaccination data (free standing)
	X	HCW summary- Ambulatory Surgery Centers

Data Use Agreement between CDC National Healthcare Safety Network and Minnesota Department of Health ("MDH")

Data File Specifications Template - Dialysis Component

The template below can be used to describe which data from the NHSN Dialysis Component will be shared with the state health department. Only data that is included in a facility's monthly reporting plan will be included in datasets shared with the state health department. "Time Period" of data shared with state health department will completed on template after signing of DUA. Please complete the template and provide to CDC/NHSN for further discussion.

Specify level of aggregation and patient identifiers to receive:

X	Patient level data with all patient identifiers	
	Patient level data with no patient identifiers	
	Patient level data with specific patient identifiers (please select below)	
		Gender
		DOB
		Ethnicity
		Race
		Medicare #
		Name
		SSN
		Patient ID

General and surveys:

X	Monthly reporting plans
X	Facility annual surveys

Events and denominators:

Select event types of interest below:

	X	Dialysis event (DE)

For these events, please specify the locations that will be shared with state health department below.

You will receive both event (numerator) and summary (denominator) data for the locations that you specify.

Plan	Time Period	Location Type	Specific Facility Types and Locations (Outpatient Clinic- ONLY)
IN		CLINIC	Outpatient Hemodialysis Clinic

Questions

Thank you.

NHSNDUA@cdc.gov