

Guidelines for Collecting and Reporting Personally Identifiable Information

The information included in this Document may be used by DBHR's contractors to create a local plan for data collection and data entry. Please contact DBHR at PrevMIS@dshs.wa.gov with questions about this Reference Document.

1. What information is required to be reported to DBHR by contractors and why?

Federal and state funding sources require DBHR to report certain data in order to ensure funds are spent appropriately and to evaluate the effectiveness of prevention services. DBHR requires contractors to report into the Substance Use Disorder Prevention and Mental Health Promotion Online Reporting System the information needed to meet DBHR's federal and state reporting requirements. This includes for Individual participants the individual's first and last name, date of birth, age at first service, gender, city, state, zip code, race, and ethnicity. Other information is optional and contractors are not required to collect optional information. Contractors may remove references to optional questions in documents such as Participant Intake Forms.

2. My organization wants to provide Prevention programming while also respecting and protecting participants' information. How can we do this?

There are a number of steps that your organization can take to protect personal information, even if it may not be legally considered confidential or sensitive. When planning on how to meet your reporting requirements, please keep the following in mind:

- **Why this data is collected and reported.** Share with participants what information you are collecting and why. Use the information provided in #1 above to help figure out the best way to respond in a way that is tailored to your community.
- **What laws to follow and when.** Ensure you follow applicable state and federal laws regarding the sharing of information. While not all information is defined as confidential under federal and state laws and while not all Prevention programs fall under such protections, it is nonetheless good practice to act in a way that safeguards personal information.
- **Data security.** Inform participants that DBHR's Substance Use Disorder Prevention and Mental Health Promotion Online Reporting system is secure. Access is limited to known users with a unique username and password and the system is protected by physical barriers (i.e. locked doors and keycard access to the building). DBHR contractors on the local level also have their own security systems and policies.

Prevention Programs and the Health Insurance Portability and Accountability Act (HIPAA)

The Health Insurance Portability and Accountability Act (HIPAA) governs the collection and sharing of certain types of information by HIPAA covered entities, or entities that perform specific functions for clients or on behalf of clients.

- DSHS is a **hybrid-covered entity** as some DSHS programs and services are covered by this law but others are not. Thus Prevention programs are not automatically covered by HIPAA.
- If your organization itself is a HIPAA covered entity, follow your organization's policies with respect to collecting and sharing Personally Identifiable Information (PII).
- Even if your organization is not covered by HIPAA, it is good practice to have and follow data security policies. Your organization likely has policies to protect data and maintain confidentiality or to protective sensitive information. Learn about these policies and make them part of your planning for data entry and everyday practice.
- DSHS' contracts include specific language to allow your organization to share this information with DSHS. As noted in our contract, any subcontracts must be approved by DBHR and must include these sections on sharing data.