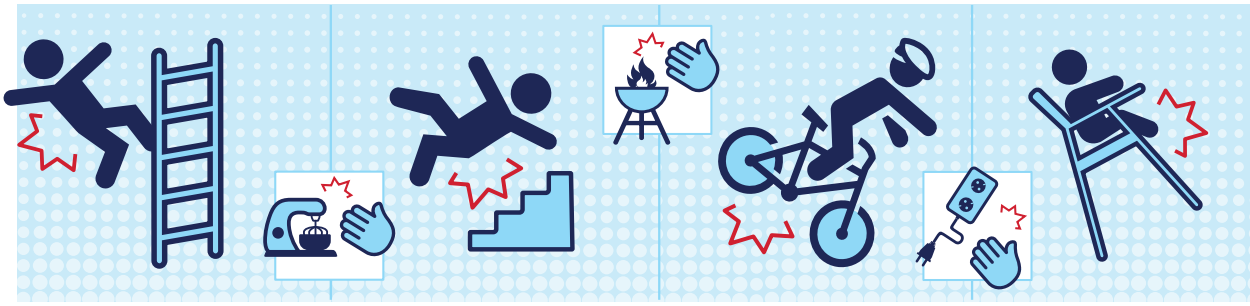

HIPAA and Data Security

National Electronic Injury Surveillance System

The National Electronic Injury Surveillance System (NEISS), conducted by the Consumer Product Safety Commission (CPSC), is a dynamic data collection and follow-back surveillance system. NEISS monitors emergency department visits associated with consumer products, adverse drug events, and injuries.

HIPAA

Special provisions within HIPAA (PL 104-191) permit hospitals to provide data to public health entities such as CPSC for public health research purposes. The HIPAA Privacy Rule (45 CFR Part 160 and Part 164 subparts A and E) recognizes (i) the legitimate need for public health authorities and others who are responsible for ensuring the public's health and safety to have access to protected health information to conduct their missions, and (ii) the importance of public health reporting by covered entities in identifying threats to the public and individuals.

The Privacy Rule permits (i) protected health information disclosures without written patient authorization for specified public health purposes to be provided to public health authorities who are legally authorized to collect and receive the information for such purposes; and (ii) disclosures that are required by state and local public health or other laws [HIPAA regulations (45 CFR 164.501)]. Thus, HIPAA permits hospitals to participate in studies of this nature for public health purposes.

Your hospital can participate in NEISS and **comply fully with the HIPAA Privacy Rule.** CPSC is committed by law and by practice to preserving patient safety.

Data Security

The U.S. Consumer Product Safety Commission (CPSC) has implemented strict policies and procedures to secure study data and protect confidentiality of records collected in the National Electronic Injury Surveillance System (NEISS). CPSC follows the structure and guidelines established by the **National Institute of Standards and Technology (NIST; 800-series)** for meeting the requirements of the **Federal Information Security Management Act (FISMA)**. Their data security plan complies with all relevant laws, regulations, and policies governing the security of data and the protection of confidentiality, including the **Privacy Act of 1974 (5 USC 552a)** and the **Confidential Information Protection and Statistical Efficiency Act (CIPSEA) (44 USC 101)**. CPSC's Data Security Plan is available upon request from Westat.

Two factor authentication

Personal Identity Verification (PIV) card and Personal Identification Number (PIN).

NEISS coders who review and extract information from medical records at participating NEISS hospitals are either hospital staff or CPSC third party contractors approved by hospital administration. NEISS coders are expected to follow hospital rules for accessing medical records and comply with the security and privacy policies and practices specific to the hospital in which they work. NEISS coders abstract data of interest to NEISS from the selected ED record and transcribe it as coded variables into a CPSC-issued laptop. The laptop's hard drive is encrypted. The NEISS coder submits these cases to CPSC using a secure, encrypted Internet transfer system at the end of each data entry session. All NEISS data are stored on CPSC network file stores or on database servers. All server and network data storage areas are protected by access privileges, which are approved by either the system or data owner and are assigned by the appropriate system administrator. Access to these secure computer systems requires authentication with a Personal Identity Verification (PIV) card and Personal Identification Number (PIN).

Annual Security Trainings

To ensure strict compliance with data security and privacy issues, all CPSC staff, upon employment and annually thereafter, must complete training on Information Security Awareness, Privacy Awareness, and CPSC's Rules of Behavior. CPSC staff who work directly with NEISS data complete an additional annual training session focused on proper handling and protection of Personally Identifiable Information (PII) as it pertains to NEISS records.

Information about NEISS is also available online at
https://www.cpsc.gov/Research--Statistics/NEISS-Injury-Data

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