

INSTRUCTION GUIDE AND SUBMISSION TIPS

DATA SHARING AGREEMENT APPLICATION (DSAA)

To request a DHA Data Sharing Agreement (DSA), please complete a Data Sharing Agreement Application (DSAA), and consider each item listed below before submitting the application to the Privacy Office [via e-mail](#):

1. Locate the most current template on the [DSA “templates”](#) web page.
 - a. If the data will be used to support a contract, grant, Cooperative Research and Development Agreement (CRADA), or other type of support agreement, include the reference number (i.e., contract number) on the DSAA.
 - b. Indicate the support agreement’s period of performance beginning and end dates on the DSAA.
 - The DSA expiration date is established according to the option year end date. If the support agreement was awarded for multiple years, reference the current option year.
 - If this data will be used by government personnel only (without contractor support) for research purposes, the study’s approved “beginning and end” dates should be provided.
 - c. Mark the DSAA to confirm whether or not your organization has a business associate agreement with a covered entity or organized healthcare arrangement. If so, explain the business associate role (as defined in HIPAA).
 - A business associate performs certain functions or activities, involving the use or disclosure of protected health information (PHI), on behalf of a covered entity:
 - Business associate functions and activities include: claims processing or administration; data analysis, processing or administration; utilization review; quality assurance; billing; benefit management; practice management; and repricing.
 - Business associate services include those which are: legal; actuarial; accounting; consulting; data aggregation; management; administrative; accreditation; and financial.
 - For details about the Military Health System (MHS) as an organized health care arrangement, see the Privacy Office’s [Organized Health Care Arrangements Information Paper](#).
 - d. In the DSAA, describe the steps intended for obtaining, using, and/or storing the data.
 - The Privacy Office performs a compliance review of each intended use of DHA data, but does not grant system access or provide data extractions.
 - The appropriate System Program Office has the final say as to the feasibility of obtaining the data from a system within their area of responsibility.
2. As DSAA supporting documentation, include a list of the specific data elements intended for this work. This data will be reviewed for compliance with the HIPAA minimum necessary rule.
 - a. The Data Request Templates (DRTs) are provided on the [DSA “templates”](#) web page to help you confirm the data elements you use for your project.
 - b. If the data elements are already listed on another document, and can be provided to support the DSAA, no separate DRT is necessary.

3. If the proposed data will be used for research purposes, provide the DHA Human Research Protection Official (HRPO) determination reference number and expiration date.
 - a. The [Human Research Protection Program \(HRPP\)](#) web page provides additional instructions and resources.
 - b. If necessary, use the [Privacy, Information Collection and Human Research \(PICHR\)](#) tool to confirm that the protocol involves human subjects' research.
4. If the intended data will be used for survey purposes, provide the survey license number and expiration date.
 - a. Contact your Component Information Management Control Officer (IMCO) for assistance, if needed.
 - b. The official [DoD website for internal information collections](#), describes the approval process for information collections that:
 - Cross DoD Components
 - Are requested from DoD by other Federal agencies
 - Are requested from DoD by entities that are external to DoD (e.g., private industries)
 - c. Information collected from the public, by DoD, may require Office of Management and Budget (OMB) approval. Guidance for that process can be found on the [U.S. Department of Health and Human Service website](#).
5. DSAs submitted for research involving protected health information (PHI) will be forwarded to the DHA Privacy Board for review. The [DHA Privacy Board](#) web page provides more information about that process.
6. In the DSAA, if applicable, provide evidence of a current DoD approval to confirm that each information system (IS) or network intended for the requested data use is operating at an acceptable level of risk.
 - a. Specify the DoD-approved system intended for the data receipt, use, and/or storage.
 - b. Indicate the type of DoD approval or government validation for the system.
 - c. Include the expiration date of the current DoD approval or government validation.
 - d. If the IS or network intended to receive the data is *not* DoD-approved, complete and submit a System Security Verification (SSV), located on the [DSA "templates"](#) web page.
7. The Applicant and Government Sponsor must initial the DSAA to certify concurrence with the responses provided therein.
8. After the DSAA is approved by the Data Sharing Compliance Manager:
 - a. The appropriate DSA (DSA for PII excluding PHI, DSA for PHI, Data Use Agreement (DUA) for a limited data set, DSA for de-identified data) will be sent to the Applicant (referred to as the Recipient in the DSA) and Government Sponsor for signature.
 - b. Once the Recipient and Government Sponsor sign and return the DSA, the DHA Privacy Office will provide final signature.
 - c. The executed DSA, incorporating the approved DSAA, will be sent to the Recipient and Government Sponsor for their records.
9. After the DSA is executed (if no substantive changes to the data use, described in the approved DSA, are involved and the project or contract has not ended) a request to renew the executed DSA may be submitted to the Privacy Office.

DSA-related questions may be directed to
dha.ncr.health-it.mbx.dsa-mail@mail.mil