



TEXAS TECH UNIVERSITY  
HEALTH SCIENCES CENTER  
EL PASO

Office of Research

**TTUHSC EI PASO**

# Regulatory Lite



**A hint of research compliance tips for your everyday life**

**What are Data Use Agreements anyway?**

A Data Use Agreement (DUA) is a legally binding agreement between an internal and an external entity where an external entity requests the use of personal identifiable data that is covered by the Health Insurance Portability and Accountability Act (HIPAA). The DUA is meant to inform data users of these requirements and to obtain their agreement to abide by these requirements. An executed DUA is required prior to releasing or sharing a limited data set.

De-identified protected health information is different from a limited data set because de-identified information is not classified as PHI under HIPAA Rules, a limited data set under HIPAA is still identifiable protected information. A limited data set EXCLUDES the following 18 identifiers:

- Names
- Postal address information, other than town or city, State or zip code
- All elements of dates (except year) for dates directly related to an individual
- Telephone numbers
- Fax numbers
- Electronic mail addresses
- Social Security numbers
- Medical record numbers
- Health plan beneficiary numbers
- Account numbers
- Certificate/license numbers
- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers and serial numbers
- Web Universal Resource Locators (URLs)
- Internet Protocol (IP) address numbers
- Biometric identifiers, including finger and voice prints
- Full face photographic images and comparable image
- Any other unique identifying number, characteristic, or code (note this does not mean the unique code assigned by the investigator to code the data)

A limited data set can include any of the following:

- Dates such as admission, discharge, service, DOB, DOD
- City, state, five digit or more zip code; and
- Ages in years, months or days or hours

If you are planning to share data with another entity or if you are leaving the institution and plan to take your data with you, it is important that you understand the policies that are in place at TTUHSC EP. There are DUA templates available and they can be obtained by reaching out to [Deborah Martinez](#) in the Office of Research and/or the [Office of Institutional Compliance](#). Remember that you must have IRB and/or applicable Research Ethics Committee approval(s) if you are requesting a DUA. In addition, as a principal investigator you do not have signatory authority to sign your own DUA. For additional information, you can also review [HSCOP 73.02 - Ownership and Transfer of Projects and Research Records](#) and [HPP - 6.2 Data Use Agreement](#).

Privacy/Confidentiality Notice: This message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use disclosure or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.