

Kansas Administrative Regulations

Department of Health and Environment

Article 67.—Health Care Database

28-67-6. Confidentiality of the health care database.

(a) Data or information that in any manner identifies an individual shall not be released. Researchers demonstrating the need for data containing record identifiers or names of health care providers shall be subject to the release, confidentiality and security requirements pursuant to K.A.R. 28-67-4, K.A.R. 28-67-6, and K.A.R. 28-67-8 and approval of the board.

(b) Any information generated from manipulations of data provided by the database shall be subject to release, confidentiality and security requirements pursuant to K.A.R. 28-67-4, K.A.R. 28-67-6 and K.A.R. 28-67-8.

(c) The individual forms, computer tapes or other forms of data collected by and furnished to the database shall not be available to the public. Special reports prepared for any data requester shall not be made public if the report identifies an individual.

(d) Public domain data obtained for the health care database may be made public through compilation and as public use data in a manner that identifies health care providers.

(e) Primary data collected which identify individuals shall be kept confidential and shall not be made public. Individual data associated with patient numbers, social security numbers and patient or client health care coverage identification numbers, or any other data that can identify individuals shall be kept confidential and shall not be made public. Any release of primary data shall be subject to K.A.R. 28-67-4.

(f) Primary data collected that identifies health care providers shall be kept confidential and shall not be made public except that public health data which identifies health care providers may be released. Release of these data shall be subject to K.A.R. 28-67-4.

(g) In this subsection, "small number" means any number that is not large enough to ensure that the identity of individuals and health care providers is protected. Any data

element category which contains small numbers shall be aggregated using procedures established by the secretary. The procedures shall follow commonly accepted statistical methodology.

(Authorized by and implementing K.S.A. 65-6804, as amended by L. 1994, Ch. 90, sec. 3; effective Dec. 19, 1994.)

***** Authenticated Kansas Administrative Regulation *****