



Unifying Dubai's Healthcare

Policies and Standards

September 2020 (v1.0)

SECTION 5: Data Management and Quality Policy

(Primary and Secondary Use)

1. Purpose:

- 1.1. To define permissible uses of the NABIDH data such as Primary Use (Subject of care Care) and Secondary use (Research, Public Health, Quality Improvement and Safety Initiatives.).
- 1.2. To ensure data is used and accessed only as permitted by applicable UAE Laws and DHA regulations.

2. Scope/Applicability:

This policy applies to everyone involved in the protection of PHI including:

- 2.1. Dubai health authority and their Business Associates or any subcontractors, who is responsible for oversight of NABIDH platform.
 - 2.1.1. Dubai health authority Public Health and their Business Associates or any subcontractors who is responsible for exchange of PHI.
 - 2.1.2. NABIDH and their Business Associates or any subcontractors who is responsible for exchange of PHI.
 - 2.1.3. Healthcare Facilities or Their Business Associates or any subcontractors who is responsible for submission, collection and use of PHI.
 - 2.1.4. Subject of Care or the Subject of Care Agent who is responsible for providing appropriate consent to their data.

2.1.5. All parties requesting to use the NABIDH managed information for secondary use.

3. General Use and Disclosure:

Primary use of PHI is defined as exclusive use by the organization that acquired the data, in providing direct care to the subject of care. Secondary uses are those that are used for health system planning, management, quality control, public health monitoring, program evaluation, and research. Some secondary uses directly complement the needs of primary use. Examples include medical billing, hospital administrative, and management operations. While some secondary use includes usage that support medical research and public health, organization sales, marketing, and financial gain. Secondary use regularly occurs without the subject of care's knowledge or consent.

4. Compliance with Law

All disclosures of PHI through the NABIDH and the use of information obtained from the NABIDH shall be consistent with all applicable UAE ICT laws and DHA regulations and shall not be used for any unlawful discriminatory purpose.

If the UAE ICT law requires that certain documentation exist or that other conditions be met prior to using or disclosing PHI for a particular purpose, the requesting Participant shall ensure that, it has obtained the required documentation or met the requisite conditions and shall provide evidence of such at the request of the disclosing Participant.

5. Policy Statement:

Personal Health Information will primarily be made available in NABIDH for purposes of Treatment, Healthcare Operations, Public Health and research:

5.1. Primary Use:

5.1.1. Clinical Care Provision to an Individual Subject of Care

5.1.2. The information collected by the healthcare provider for the primary purposes of giving treatment and health care to the subject of care.

5.1.3. Emergency Care Provision to an Individual Subject of Care.

a. To inform individuals needing to provide healthcare services to the Subject of Care urgently and possibly needing to override the NABIDH consent policy pertaining to clinical care provision.

b. To inform individuals or processes enabling others (e.g. healthcare providers who have a legitimate right to provide care) to provide healthcare services to the Subject of Care.

5.1.4. Subject of Care Uses

To inform the Subject of Care in support of his or her own interests.

Subject of Care identification upon presentation for medical treatment.

a. Subject of Care diagnosis, treatment, and related Healthcare Operations, etc.

b. Share Health Information data received from outside or inside the United Arab Emirates and access it through the NABIDH Platform.

- c. Subject of care to share PHI data if required to healthcare facilities outside UAE in order to facilitate their treatment abroad as per Article 13 of ICT law 2019.

5.2. **Secondary Use:**

Personal Health Information on the NABIDH may be made available for the following purposes other than Treatment or Operations directly related to subject of care healthcare. For the purpose of Health Service Management and Quality Assurance:

- 5.2.1. Risk management, error management or for the purpose of activities to improve or maintain the quality of care or to improve or maintain the quality of any related programs or services
- 5.2.2. To inform healthcare facilities and regulatory bodies in DHA on determining the availability, quality, safety, equity and cost-effectiveness of healthcare services.
- 5.2.3. Data or Health Information required by the health insurance companies or any provider of health services in respect of the health services received by the subject of care for purposes of auditing, approving or verifying the financial benefits related to those services.
- 5.2.4. All Individual Health Information in the NABIDH will be available for public health and quality reporting. The NABIDH consent policy permits covered entities to disclose protected Health Information, without authorization, to public health authorities who are legally authorized to receive such reports for the purpose of preventing or controlling disease, injury, or disability. This would include, for

example, the reporting vital events, such as births or deaths; and conducting public health surveillance, or quality investigations.

5.2.5. Public Health Surveillance, Disease Control:

a. To inform individuals or processes with responsibility to monitor populations or sub- populations for significant health events for Purpose of preventive and curative measures related to public health, or to maintain the health and safety of the subject of cares or any other persons in contact with them.

b. Public Safety Emergency.

c. To inform individuals with responsibility for the protection of the public in a situation in which there is considered to be a significant risk to one or more members of the public Population Health Management.

d. To inform individuals or processes with responsibility to monitor populations or sub- populations for health events, trends or outcomes in order to inform relevant strategy and policy.

5.2.6. To support Education, learning and professional development.

5.2.7. At the request of the competent judicial authorities.

5.2.8. At the request of the health authority for the purposes of inspection, supervision and protection of public health.

5.2.9. Organ Transplant:

a. Grant UAE Organ Procurement Organization access to the NABIDH solely for the purpose of facilitating organ, eye or tissue

donation and transplantation as per federal law no 5 for year 2016 and legislation no 25 for year 2020.

5.2.10. Research:

- a. For the purposes of scientific and clinical research, provided that the subject of care's identity is not disclosed and that the ethics and rules of scientific research are followed as per ICH_GCP principles and guidelines.
- b. To support the discovery of scientific facts that will add into generalizable knowledge.
- c. Any data sets need to be approved by Dubai Scientific Research Ethics Committee (DSREC) and must follow the principle of least privilege use.
- d. Dubai Scientific Research Ethics Committee approval shall be considered on a case-by-case basis.
- e. Any additional approval requirements and other proposal criteria requesting access to such data shall be determined and published by the DSREC.
- f. The Dubai Scientific Research Ethics Committee may publish criteria (e.g., may have a minimum necessary content for the proposal) that the principal investigator shall follow.

- g. The NABIDH Privacy and Security Officer or designee shall be informed about the DSREC outcomes related to NABIDH Health Information data use by DSREC chairperson in written.
- h. This notification from DSREC should include type of data to be extracted from NABIDH, name of the principal investigator (PI), name of the facility the PI is working in, and timeframe of data to be extracted by the PI.
- i. Research data extracts or views shall be facilitated by the NABIDH approved subcontractor.
- j. A Data Use Agreement for Health Information between the research organization/individual and the NABIDH shall be established.
- k. The Data Use Agreement shall include the following requirements:
 - (i) The data use and access shall be limited to the specified purpose cited in the approved research proposal.
 - (ii) Additional authorizations and consents of study subjects may be required in some scenarios, as defined by the DSREC. Where authorizations and consents are required, the NABIDH shall have access to the authorizations and consents.
 - (iii) The DSREC may require that the data be de-identified

without re-identification capabilities.

- (iv) In the case where a view is provided to the data set that would be managed by the NABIDH, the party requesting the data shall identify designated individuals that access the data for the approved purpose.

5.2.11. De-identified Health Information may be released from the NABIDH under the following conditions:

- a. De-identification methods shall undergo a re-identification risk assessment of the proposed data extract.
- b. The DSREC may consider the request on a case-by-case basis.
- c. The DSREC may offer criteria that will allow documentation of de-identified data sets that are not subject to case-level consideration and approval (e.g. re-identification risk criteria of routine de-identified information sets)
- d. Research record should be retained for at least ten (10) years after the release of the information.

5.3. Uses that shall not be Permitted:

Following are some of the examples of non-permitted uses of Subject Of care data received via the NABIDH Platform but are not limited to:

- 5.3.1. Exploiting Health Information for the purposes of unlawful gains, whether personal or otherwise.
- 5.3.2. A Healthcare Professional disclosing Health Information that became known to him/her in the course of or due to the practicing of his or her profession, otherwise than as may be allowed in the Policies or Applicable Law.
- 5.3.3. Access or use of personally identifiable PHI by Healthcare Professionals who are not associated with the treatment of that specific Subject of care or cohort of Subject of cares.
- 5.3.4. Distribution to Third Parties.
- 5.3.5. Granting access to Third Parties.
- 5.3.6. Use for commercial gain or marketing purposes.
- 5.3.7. Use of Health Information to form a Health Information exchange (other than the NABIDH Operator).
- 5.3.8. Sub-licensing of Health Information.
- 5.3.9. Storage of Health Information in a cloud environment.
- 5.3.10. Ingesting, storing, or recording any Health Information that is received

Contact Us

Still have questions?

For more information on NABIDH, please reach out through the following channels:



800 DHA (800 342)



info@dha.gov.ae



<https://nabidh.ae>

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800342 (DHA) | dha.gov.ae | @dha_dubai | Dubai Health Authority | DHA