NCDHHS Data Sharing Guidebook

Appendix A. Questions to Guide Data Request Pathways

If you have a data request, use these questions to guide the process.

1. **Does the request support work in alignment with <u>strategic priorities of NCDHHS?</u>**
   If yes or no, proceed to Q2. Note that requests may be prioritized based upon alignment with priorities.

2. **Is this an operational request—related to ongoing work of NCDHHS—that supports business intelligence with a NCDHHS Division or Office, department and/or strategic partner (under current agreement with NCDHHS), including local Offices?**
   Is this request for data from a specific Division/Office? If yes, contact that Division/Office directly (See <u>Guidebook, pg.6</u>). Does this request involve data from multiple Divisions/Office? If yes, please contact <u>dataoffice@dhhs.nc.gov</u>. And see the **Operational Data Request Form**.

   If no, proceed to Q3.

3. **Is this request for research purposes?[1]**
   If yes, are you DPH staff? You may need to submit an application to **DPH IRB**.
   If yes, are you working in collaboration with NCDHHS staff or a consultant of NCDHHS for research purposes? If yes, Institutional Review Board review and approval may be required. Contact <u>dataoffice@dhhs.nc.gov</u>.
   If no, proceed to Q4.

4. **Is this request for audit purposes, including the NCDHHS Office of the Internal Auditor (OIA), the NC Office of the State Auditor (OSA), or NC Office of State Budget and Management?**
   For OIA, right of data access for audit purposes is reinforced by NCGS § 143B-216.50 and the OIA Charter. OIA shall have access to any records, data, or other information of the Department the Internal Auditor believes necessary to carry out the Internal Auditor's duties.

If yes, but not OIA, contact the applicable Division Director, Data Owner, and/or Designee for approval, as well as the NCDHHS Privacy and Security Office and OIA, before fulfilling the data request.
If no, proceed to Q5.

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[1] There are many definitions of research. For example, research is defined by federal regulations as "a systematic investigation, including development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" (See, <u>Common Rule</u>). Generally, the term "research" refers to the testing of a hypothesis. Research generally does not include operational activities (e.g., public health surveillance) and studies for internal management purposes such as program evaluation, quality assurance, quality improvement, fiscal or program audits, marketing studies, or contracted-for services. Research generally does not include journalism or political polls. However, some of these activities may include or constitute research in circumstances where there is a clear intent to contribute to generalizable knowledge.

5. **Is this a Public Records Request for Data Access and Use?**

Y   N   Is this request for a nonprofit or community-based organization without a current agreement with NCDHHS?

Y   N   Is this request from a media source?

Y   N   Is this request from a commercial entity that is not operational (See Q1)?

If yes to any of the above questions, then this is a Public Records Request.

Y   N   Does the Public Records Request involve any analysis? (e.g. any data manipulation beyond a data system query of existing record that is held within NCDHHS servers)

If yes, data access is permissible but not required. NCDHHS is required to produce data as it exists at the time of the request but is not required to create data.

If this is a Public Records Request, contact public.records@dhhs.nc.gov.
If no, proceed to Q6.

6. **Is this a legislative request?**

Y   N   Is this request from or on behalf of a legislative member, committee, or Division (e.g. the Fiscal Research Division)?

If yes, contact DHHSlegislativeaffairs@dhhs.nc.gov.
If no, proceed to Q7.

7. **Is this a request related to legal affairs?**

Y   N   Is this request related to a subpoena, court order, discovery, litigation, investigation?

Y   N   Are you making a request on behalf of the NC Department of Justice?

Y   N   Are you making this request on behalf of a legal team?

If yes, contact the relevant Legal Counsel
If no, proceed to Q8.

8. **Does this request involve interdepartmental data sharing (beyond NCDHHS) related to children and youth?**

Y   N   Is this request related to children age birth-5? If yes, contact ECIDS, https://www.ecids.nc.gov/ecids/ecids/researchers/datarequests

Y   N   Is this request related to the integration of Early Childhood Data, Student Data, and Workforce Data? If yes, contact ELDS, through GDAC, https://it.nc.gov/services/data-analytics/nc-government-data-analytics-center

If no, proceed to Q9.

9. **I have a data request that supports NC DHSS use data as a strategic asset, but I am unsure what type of request it would be considered. Who should I contact?**
Contact dataoffice@dhhs.nc.gov