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Colorado All Payer Claims Database FAQs - Data Release and Pricing

I've seen the data available on Colorado Medical Price Compare, how can my organization get more detailed reports from the CO APCD?

The [Data Release Process](#) page of our website outlines the process for requesting data from the CO APCD and includes resources such as the Data Release Application and contact information to help guide you in the process.

Who decides who can get information from the CO APCD? What rules do they use?

The CO APCD governance rules promulgated by the Department of Health Care Policy and Finance (HCPF) require that the Data Release Review Committee (DRRC) develop protocols for the release of CO APCD data. The DRRC is comprised of health care data and analytical experts representing a variety of organizations and stakeholder perspectives. The rules require that the DRRC review all requests and advise CIVHC on whether release of the data is consistent with the statutory purpose of the CO APCD, will contribute to efforts to improve health care for Colorado residents, complies with the requirements of HIPAA and will employ appropriate analytical methods. Requests must meet all these criteria in order to recommend for release. Recommended data requests then require the requestor to enter into a very strict Data Use Agreement. Additionally, CIVHC is required to report annually to HCPF listing data requests, their use and how they met HIPAA requirements.

What kind of information can organizations get from the CO APCD?

By rule, CIVHC is permitted to provide or “release” data at varying levels of detail and specificity. All releases of CO APCD data must meet all HIPAA privacy and security guidelines and are subject to DRRC review and advisement, which requires that the intended use support reaching the Triple Aim of better health, better care, and lower costs in Colorado. For example, public and private entities may request information on costs associated with treatment of a specific diagnosis or disease by region or county, variation in cost of procedures by facilities, and utilization of high cost services such as MRIs for a defined population. To view how organizations are using custom CO APCD reports, visit our showcase at www.comedpriceshowcase.org.

Are there limitations on the data that organizations can get from the CO APCD?

Yes, CO APCD data releases are subject to both HIPAA restrictions and state legal and regulatory restrictions to protect privacy:

- In keeping with the “minimum necessary” standard established under HIPAA, applicants must demonstrate need and provide justification for each data element requested. The DRRC will recommend and CIVHC will release only those data elements which are specifically necessary to accomplish the applicant's intended use.
- Protected Health Information (PHI) may only be released in limited circumstances for public health, health care operations and pre-approved research purposes,



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and can never be shared publicly as a result of a research project or program.

- For research-related requests, applicants may be required to show written approval from an Institutional Review Board or a Privacy Board as part of the Application.
- As part of the Data Use Agreement, all Requestors must provide written assurances that:
- Data will be used only for the purpose stated in the Application.
 - No attempt will be made to use any data released to ascertain the identity of specific insured individuals or patients, or to report data at a level of detail that could permit a reader to ascertain the identify of specific insured individuals or patients, nor will downstream linkages to outside data sources occur without specific authorization from the CO APCD Administrator.
 - Restricted data elements such as PHI will not be released except as specifically approved in the original Application and Data Use Agreement.
 - The Requestor will obtain these assurances in writing from any recipient of data or agent that processes data on behalf of the Requestor.
 - The data will not be re-released in any format to anyone except personnel identified and approved in the original Application and Data Use Agreement.

What information is required in order to submit a data request?

According to both CO APCD statute and HCPF rules, all data release applications must be submitted in writing and describe in detail:

- The purpose of the project and intended use of the data.
- Methodologies to be employed.
- Type of data and specific data elements requested along with justification.
- Qualifications of the research entity requesting the data.
- The specific Privacy and Security measures that will be employed to protect the data.
- Description of how the results will be used, disseminated or published.

The DRRC reviews the data release applications and recommends whether the Administrator should release the data.

What kind of organizations can get information from the CO APCD?

Both public and private entities may receive CO APCD data subject to approval of their request by the DRRC. Organizations that have requested information from the CO APCD so far include university researchers, non-profit organizations, health plans, providers, divisions of Colorado state government and private firms developing new pricing models for health care services.

What can CO APCD data be used for? Are there any restrictions on the purposes for which it may be used?



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Data requests may only be used to inform projects or support programs that support the achievement of one or more of the categories of the Triple Aim for Colorado: better population health, better quality of care and patient experience, and lower cost of health care. Data cannot be used to directly market to individuals for market gain of an individual or organization. For example, a data request identifying all diabetic patients for purposes of target marketing a new diabetic drug does not meet the intended use criteria. Personal health information can never be shared publicly as a result of a research project or program.

Can an organization charge others for information it gets from the CO APCD?

Under an approved request, use of the released data is limited to the specific purpose as described in the original application. Further use of the data for a purpose not reflected in the original application would require a new request that fully complies with the privacy and security requirements of HIPAA.

Is there any circumstance in which a private company or individual could get personal, identifiable health information out of the CO APCD?

HIPAA allows the release of certain, limited data fields for very narrow purposes: public health activity, health care operations, and research activity. The DRRC reviews every request for CO APCD data reports to ensure that no information is released that goes beyond HIPAA rules and CIVHC denies any request for data or reports that would violate HIPAA or state law and rule.

Could a company get a report from the CO APCD identifying all the people in a given zip code who have a certain diagnosis or have been prescribed a certain drug?

There is no circumstance we can envision in which a company could obtain this data without first directly obtaining patient authorization to do so. The company would then have to meet all other data release requirements including showing how this information would improve health, care or lower costs. Similar to HIPAA laws that govern providers or payers, release of specific names of patients can only occur in the most unusual public health circumstances or under research protocols that under HIPAA laws require patient authorization or Institutional Review Board research approval.

What happens if an entity misuses CO APCD data or uses it for a purpose other than that for which the entity applied?

An approved requestor must sign and enter into a Data Use Agreement or contract with CIVHC and agree to the following:

- Restrictions on data disclosure and prohibitions on re-release of the data.
- Prior approval from CIVHC subject to DRRC guidelines is required to publicly release any reports based on the data. CIVHC will carefully review all materials intended for publication or dissemination to determine whether the privacy rights of any individual would be violated by the release of the information.





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- Violation of the terms of the Data Use Agreement constitutes a breach of contract and may:
- Require the immediate surrender and return of all CO APCD data.
- Result in denial of future access to CO APCD data.
- Lead to civil action by CIVHC for breach of contract.
- Result in a complaint filed with the U. S. Department of Health & Human Services, Office for Civil Rights, as well as civil and criminal action and penalties.
- State Attorneys General are also empowered under the HITECH Act to take civil action regarding certain HIPAA violations.

How is CIVHC held accountable for the use of CO APCD data?

CIVHC is required to provide HCPF with an annual report on or before April 1st of each year that includes:

- Any policies established or revised pursuant to state and federal medical privacy laws, including HIPAA.
- The number of requests for data and reports from the CO APCD, whether the request was by a state agency or private entity, the purpose of the project, a list of the requests for which the DRRC advised the Administrator that the release was consistent with rule and HIPAA, and a list of the requests not recommended for release.
- For each request recommended, the Administrator must provide the HIPAA regulation pursuant to which the use or disclosure was recommended, and whether a data use agreement or limited data set data use agreement was executed for the use or disclosure.
- A description of any data breaches, actions taken to provide notifications, if applicable, and actions taken to prevent a recurrence.

Why is there a cost associated with CO APCD data?

The State of Colorado mandated the creation of the CO APCD and did not appropriate any tax payer dollars for this resource. CIVHC is partially funded by foundation grants and in order to be sustainable and operational, CIVHC releases non-public data to recoup costs in support of maintaining this valuable public resource.

How much does CO APCD data cost and what is included in a non-public release?

CIVHC does a cost analysis of each request based on the specific scope and requirements for the project. CIVHC provides the data files and/or detailed analysis and reporting based on the amount of data, complexity of data matching, analysis and reporting, report customization, planned updates, and other items. The fulfillment includes the following services: feasibility, scoping, review of DED and application, development of report and/or extract, meetings and communications with customer, QC of extract report, production/review report and/or extract with customer, as well as any direct and indirect/overhead expense.

To learn more about how much a specific data request would cost, please contact our CO APCD Account Manager at ColoradoAPCD@civhc.org.



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Do the fees associated with a data request differ by the type of requesting organization?

Yes. CIVHC has a tiered pricing structure for different types of organizations. These include: hospitals, health plans, physician groups, non-profit agencies, commercial enterprise groups, and academic/research institutions. In addition, funding is available for a limited time for state agencies and any non-profit or researcher with annual revenues of \$5 million or less. Please contact ColoradoAPCD@civhc.org for more information or [click here](#).

Do you offer discounts or waivers?

No. Since CIVHC does not receive money from the State of Colorado to support operations, we do not offer discounts or waivers.

Are grants or scholarships available for data requests?

Yes. In 2014, \$500,000 was appropriated by the General Assembly to HCPF to enable organizations with limited budgets to receive funding to help offset the out of pocket costs of receiving data. Funding is available for a limited time for state agencies and any non-profit or researcher with annual revenues of \$5 million or less. Please contact ColoradoAPCD@civhc.org for more information or [click here](#).

Is the price the same for subsequent data pulls?

Since a query is written in the first data pull, the cost associated with each subsequent data pull typically decreases.

Will I need to sign a contract?

Yes, once an application is submitted and reviewed by CIVHC, a contract is sent outlining the data release fee and terms of the agreement. Once this contract is signed and a formal application is received and approved, the data fulfillment process can begin.

How do I pay for the data?

Within 2 weeks of the data request being approved, CIVHC will invoice for the data release fee. Payment is required within 30 days of the date of the invoice.

What type of payment is accepted?

Currently CIVHC only accepts checks

