Assessment Tool 3: What HIPAA Forms Do I Use

Once you determine that you are obtaining PHI from a covered entity, use this decision tree to determine the appropriate HIPAA forms for use of Protected Health Information (PHI) in research.

Will you record any of the 18 HIPAA identifiers* in your research records?
- Yes
  - Will you be interacting or intervening with a living individual?
    - Yes
      - Obtain signed authorization from each research participant to use or access PHI. Submit an authorization form or combined informed consent/authorization to the IRB for review and approval.
    - No
      - Are all research subjects about whom data will be collected deceased?
        - Yes
          - Submit a Research with Decedents Form along with your IRB application.
        - No
          - Are you applying to the IRB for a waiver of consent or conducting retrospective chart review research?
            - Yes
              - Submit a Request for Waiver of Authorization along with your IRB application.
            - No
              - Will all identifiers except dates and “geographic information broader than street address” (e.g., state, country, zip, code) be removed from the data?
                - Yes
                  - Apply for a Limited Data Set by including a Data Use Agreement with your IRB application.
                - No
                  - An Authorization from each patient/research participant is needed. Contact Research Integrity for assistance.

*See Assessment Tool 2 for list of 18 Identifiers.