Exhibit A: Is data sharing permitted?

1. Data Sharing Request
2. Are the data from Human Subjects Research?
   - Yes: Does Informed Consent Document or relevant IRB waiver permit disclosure? (Human Subjects Office review required)
     - Yes: Sharing not permitted
     - No: Sharing not permitted
   - No: Were data collected as part of Sponsored Research?
     - Yes: Has Sponsor prohibited data sharing?
       - Yes: Sharing not permitted
       - No: No
     - No: Were data received under contract from another Party?
       - Yes: Does contract prohibit sharing?
         - Yes: Sharing not permitted
         - No: Yes
       - No: Does policy, law, or regulation prohibit sharing?
         - Yes: Sharing not permitted
         - No: Sharing Permitted
   - No: No
Exhibit B: Is a Data Use Agreement Needed or Recommended?

- **Are the data from human subjects?**
  - **Yes**
  - **No**

- **Are the data personally identifiable or HIPAA protected?**
  - **Yes**
  - **No**

- **Do the data contain:**
  - Identification Information? (Iowa Code §715A.8)
  - Education Records? (FERPA)
  - Customer Record Information? (Gramm Leach Bliley Act)
  - Card Holder Data? (Payment Card Industry Data Security Standard)
  - Employee Personnel File Information? (Iowa Code §91B.1)
  - Confidential Information? (Iowa Code Chapter 22)
  - Federally or State Protected Information? (UI IT Security & Policy Office’s Policy on Institutional Data Access)

- **Are the data from a sponsored research project?**
  - **Yes**
  - **No**

- **Are there restrictions from the sponsor?**
  - **Yes**
  - **No**

- **Access rules?**
  - **Yes**
  - **No**

- **Data from 3rd party?**
  - **Yes**
  - **No**

- **Does PI want a DUA?**
  - **Yes**
  - **No**

- **Does PI consider data proprietary?**
  - **Yes**
  - **No**

- **Does PI want to restrict use of data?**
  - **Yes**
  - **No**

- **DUA required**
- **DUA not required**

1. Please see 2.a. of the accompanying guidance for more information.

2. A BAA should not be applied to data generated from a research project. It is designed for protection of healthcare data transmitted to a provider’s business partner for execution of business responsibilities.

3. Examples of access rules could be the rules governing a public database where PI obtained data, or limitations present in the funding agreement that supported the collection of the data. Contact DSP to learn more.