



WA DOH Tribal DSA Consultation

JANUARY 9, 2025 - THURSDAY 2-3:30PM Virtual - Zoom

Agenda

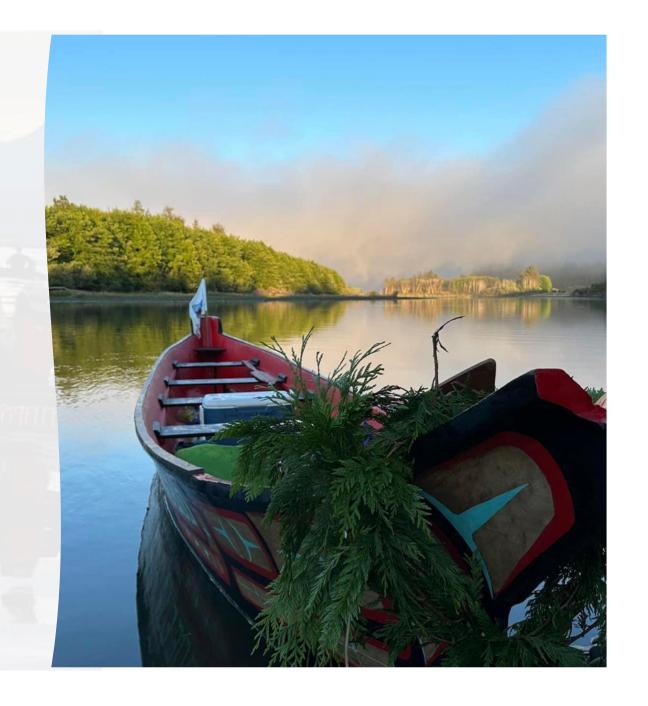
Welcome & Introductions

Recap of Roundtables 1/2

TDSA Template

Consultation Review

Next Steps & Closeout



Overview

TDSA Executive Consultation

On June 21, 2021, WA-DOH entered into consultation with Tribes through the AIHC to create an umbrella TDSA. Consultation ended without resolution on March 24, 2023. Since this time, WA-DOH's work continued and GIHAC established the Tribal Data Sovereignty Workgroup to help guide this process through the development of guiding principles, the Tribal DSA Checklist, which GIHAC adopted on December 3, 2024. With this vote, consultation was requested for the finalization of a WA-DOH TDSA template based on GIHAC's work.



December 9, 2024

Re: Executive Consultation- Tribal Data Sharing Agreement

Greetings Honorable Tribal Lenders, Partners, and Professionals:

Respectfully, the Washington State Department of Health (WA-DOH) is hosting a consultation on a draft template Tribal Data Sovereignty Agreement presented by WA-DOH and guided by the Governor's Indian Health Advisory Council (GlHAC)'s Tribal Data Sovereignty Workgroup.

In accordance with chapter 43.376 RCW, the Washington State Centennial Accord of 1989, and the DOH Consultation and Collaboration Procedure, we are inviting Tribes and partners to work with us on finalizing a Tribal Data Sharing Agreement (TDSA) template for availability and use by Tribes.

A TDSA is a data sharing agreement (DSA) with a Tribal Nation that goes beyond WA-DOH's standard DSA to acknowledge Tribal sovereignty. The TDSA identifies the Tribal Nation as an owner of the Tribal data that DOH holds, creating a mechanism for the Tribal Nation to govern the use of their data, and expanding access to WA-DOH held data.

On June 21, 2021, WA-DOH entered into consultation with Tribes, through the American Indian Health Commission, to create an umbrella TDSA that could be utilized by all Tribes within Washington State. Consultation ended without resolution on March 24, 2023. Since this time, GHAC established the Tribal Data Sovereignty Workgroup to help guide this process through the development of guiding principles, which GHAC adopted on December 3, 2024.

With GIHAC's vote on December 3, 2024, it was requested that we move into consultation for the finalization of a WA-DOH TDSA template based on GIHAC's work. We invite you to join us for the following dates and times:

Meeting Type	Date and Time		
THE STATE OF THE S		Zoom	
Roundtable #1		Information	
Roundtable #2	Thursday December 10th 2024	847 9211 8164 Passcode: 08526	
Consultation	pm - 3.30 pm		
	2025 from 2 pm - 3:30 pm	842 0394 4304 Passender 13047	

Washington State Department of

HEALTH





Consultation Process

DTLL

Consultation requested 12/3/24

DTLL sent 12/9/24

Roundtable 1

Held 12/12/24

Feedback collected

Roundtable 2

Held 12/19/24

Feedback from #1 incorporated; feedback collected

Consultation

Held 1/9/25

Responses 1/9/25 – 1/24/25

Roundtable #1 Recap

- Summary of Roundtable #1
 - Side-by-side of Checklist and draft TDSA
 Template; Kristin walked us through the template summarizing each component.
 - Refined Roundtable #2 agenda based on feedback from participants in first session.
- In preparation for Roundtable #2,
 OTPHR completed wider distribution
 as requested, in collaboration with
 DSHS and HCA, as well as
 presentations at Tribal meetings



TDSA Checklist approved and Dr. Shah blanketed at AIHC Delegates on 12/3/24

Roundtable #2 Recap

- Summary of Roundtable #2
 - DOH Data Systems Review with Senior Tribal Epidemiologist
 - Final review of TDSA template and Data Use Form
- Discuss goals of consultation: Agreement that this is an acceptable DOH template to be used as a starting point in negotiations with Tribes interested in entering such a Tribal specific DSA with DOH

WA-DOH TDSA Template

Utilizing the approved Tribal DSA checklist, prior work on the umbrella DSA and continued refinement, WA-DOH has created a draft TDSA template. We strongly believe, that as public health authorities, a Tribe's access to data is imperative to carrying out their public health authority. This effort is new, we will continue to learn best practices as we implement the DSA, adjust our efforts, and work together to honor tribal data sovereignty principles.

This Data Sharing Agreement ("Agreement" or DSA) is made and entered into by the Washington State

his Agreement establishes the terms and conditions under which

This agreement shall not limit the [TRIBE] ownership of data and information under their authority as

DOH is committed to government-to-government relation DOH is committed to upholding Tribal data sovereignty s sharing of Tribal data. DOH recognizes that historically, Tr ownership over their data that the state collects and are (DSA is a step toward this commitment.

DOH's commitment to uphold Tribal data sovereignty strategic planning as DOH modernizes and invests in its work with Tribes across the state to expand on our shared

ribal data sovereignty asserts the rights of Tribal Na application of their own data, this derives from tribes' i

Additionally, the purpose of this DSA is to identify, debetween the parties in alignment with the Washington St

2. DEFINITIONS

<u>Analysis</u> means the process of systematically collecting, interpreting data into usable information for a specific air

<u>Authorized user</u> means a recipient's employees, agents, / or other persons or entities authorized by the data recipie have signed the Use and Disclosure of Confidential Inform

Breach of confidentiality means unauthorized access, us Agreement. Disclosure may be oral or written, in any for

Breach of security means unauthorized acquisition of da or integrity of personal information maintained by t information by an employee or agent of the agency for

TRIBAL DATA SHARING AGREEMENT (TDSA)

BETWEEN STATE OF WASHINGTON DEPARTMENT OF HEALTH

Approved via Tribal Consultation: [DATE] [TRIBE]

CONTACT INFORMATION FOR PARTIES TO AGREEMENT: Whoever is holding Title will receive contact even if the person in role the changes.

Organization Name:	WASHINGTON
Designated DSA Contact:	WASHINGTON STATE DEPARTMENT OF HEALT Organization Name:
Title:	Business Contact Name:
Address:	
Telephone #-	Title:
Email Address:	Address:
Designation	Telephone #
Designated Contact for IT Security:	Email Address:
Title:	IT Security Contact:
Address:	
Telephone #:	Title:
Email Address:	Address:
Decignated a	Telephone #:
Designated Contact for Information Privacy:	Email Address:
rie.	Privacy Contact Name:
ddress:	
lephone #:	Title:
nail Address:	Address:
and ess:	Telephone #:
	Email Address:



TRIBAL DATA SHARING AGREEMENT CHECKLIST For use by State and Tribal Nations

Checklist Purpose: This document provides recommended items for Washington State agencies to include when developing their data sharing agreements with Tribal nations.

What is a Tribal Data Sharing Agreement? A Tribal data sharing agreement provides terms and conditions under which a state agency (1) provides a Tribal jurisdiction <u>informed consent</u> on how Tribal data, including sensitive communicable disease data about their Tribe and their Tribal members, are used or shared with third parties; and (2) treats a Tribal jurisdiction as a sovereign government with <u>equitable access to public health data</u> to protect the health and safety of their community members. These agreements should be developed in consultation with Tribal governments. Below is a list of basic components of a Tribal data sharing agreement.

This document was developed in collaboration with representatives from Tribes through the Washington Governor's Indian Advisory Council Data Sovereignty Committee.

Basic Tribal Data Sharing Agreement Components

Bas	sic Tripai Data Silating 1-8
1.	PURPOSE2
2.	PURPOSE
4.	RECOGNITION OF TRIBES AS TRIBAL HEALTH JURISDICTIONS AND PUBLIC HEALTH AUTHORITIES
	AUTHORITIES6
5.	OWNERSHIP OF DATA
6.	OWNERSHIP OF DATA
7.	INFORMED CONSENT AND PROTECTION OF A TRIBE S STATE AGENCY DATASETS/DATABASES
8.	ACCESS TO STATE AGENCY DATASETS/DATABASES
AF	COMPLIANCE WITH DSA11 PPENDIX A: TRIBAL NATION DATA USE FORM11

American Indian Health Commission Tribal Data Sharing Checklist

v. 5 10-4-24

v. 49-26-24

v.3 9-6-24 v.2 8-23-24

v.1 7-12-24

Page 1 of 15

WA-DOH TDSA Template

Checklist	Template
Purpose	Sections 1, 4, 5, 6, 10
Principles 1-8	Section 1. A and B, 10, 13
THJ/PHA	Section 3.
Ownership	Section 4.
Informed Consent	Section 5.
Access	Section 6.
Compliance	Section 17.
Data Use Form	Section 5. A; Appendix E

The intent of the data use form is to provide information to [TRIBE] to process the data request. [TRIBE] may require additional information from the Department of Health Contact to determine if the form will be

	quire additional investigation	
app	proved.	Health (DOH)
	ART 1 – To be completed by Department of	nea,
	mou Contact	
ı.		
		Title:
N	lame:	Department:
P	Program:	Phone:
	Email:	PE OF NOTIFICATION
1	II. DATA USE APPROVAL REQUEST OR TY Is DOH requesting [TRIBE] approval to use the Tri	bal Nation's data? Of the Section SE of the Tribai Data ass written permission under Section SE of the Tribai Data assembly the Section SE of the Tribai Data
	Is DOH requesting [TRIBE] approval to use the an exception use that is exempt from prior expre Sharing Agreement Between State of Washington	request, skip to Description of Data Use Request or
	Data Use Approval Request (If this is an appr Exempted Data Use Notification)	oval reduces.
	Notification of Exceptions – Exempted Data	y the type of exempted use this notification qualifies for. CW 42.56.520).
	To continue: Please specify	y the type of exempton
	Tribal Data Use Form Exception Records Act (R)	CW 42.56.520).
	A convest under the Public Need	on prohibits or limits DOH compliance with Section 5 of the of Washington Department of Health and [TRIBE]. Of Washington Department of Health and [TRIBE].
	A WA State or federal statute of State of	of Washington Department
	Tribal Data Sharing Agreement order,	a settlement, or a consent decree prohibits or limits DOH a settlement, or a consent decree prohibits or limits DOH haring Agreement between State of Washington Department of
	A compulsory legal 5 of the Tribal Data S	haring Agree
	Health and [TRIBE].	grant agreement that predates this agreement that prohibits or Tribal Data Sharing Agreement between State of Washington
	A contract, cooperative agreement, or g	grant agreement that predates this agreement that provided fribal Data Sharing Agreement between State of Washington
	Department of ricular	the instruction, or Tribe witch
	exposed or having exposed other persons, or exposed or having exposed or havin	ency, local health jurisdiction, or Tribe when DOH receives Indian or Alaska Native individual is suspected of having been or has been diagnosed with a notifiable condition listed under W. on, a local health jurisdiction, or Tribal jurisdiction in alignment w tice.
	246-101-101 within that agency 3 joint current public health tribal/local/state prac	£15-de-

Data Use Form

The data use form is a mechanism for DOH to respect Tribal data sovereignty and meaningfully partner with Tribes on the use of their data.

Appendix E in <u>Draft TDSA Template</u>

DOH Resources

- WA DOH Data Systems Website:
 - Data Systems | Washington State Department of Health
- DOH and Data: Collection, Storage, Management, and Governance Fact Sheet
- Additional resources coming soon through the Partner Hub

WASHINGTON STATE DEPARTMENT OF HEALTH



DOH and Data:

Collection, Storage, Management and Governance

What data does Department of Health (DOH) collect and store?

DOH collects a variety of data to assess and track diseases among people in Washington. We call this disease surveillance data. The data include the rates of infectious diseases such as COVID-19, tuberculosis, influenza. servements used. The user include the rates of infections obsesses such as COVID-15, tabel curous, influenza sexually transmitted infections and other notifiable conditions, which are required to be reported to local

DOH also collects information from a variety of other data sources that are not specific to a single disease. Vital statistics like birth and death reports

- Hospital discharge data (CHARS)
- Emergency department and other healthcare encounter data (RHINO)
- Emergency medical services (WEMSIS and Trauma Registry)

DOH uses these data sources to explore a variety of diseases and health-related issues including:

- · Chronic conditions (e.g., diabetes, heart disease)
- Maternal and child health concerns (e.g., low birthweight, preterm delivery, infant and maternal morbidity
- Environmental issues (e.g., wildfire smoke exposures, pesticide exposures, childhood lead poisoning. legionella, extreme weather event-related emergency department visits and hospitalizations) Communicable diseases (e.g., foodborne illnesses, hepatitis)
- · Mental health concerns
- Emerging public health threats (e.g., new disease outbreaks like foodborne outbreaks, respiratory)

Consultation Summary

Meeting Type	Date and Time	Link
DTLL	Consultation DTLL sent December 9, 2024	https://doh.wa.gov/sites/default/files/2024- 12/DTLL-DataSharingAgreement.pdf
Roundtable #1	Thursday, December 12 th , 2024 from 2 pm – 3:30 pm	847 9211 8164 Passcode: 085267
Roundtable #2	Thursday, December 19 ^{th,} 2024 from 2 pm – 3:30 pm	824 0953 7124 Passcode: 000133
Consultation	Thursday, January 9th, 2025	842 0394 4304
Oonsultation	2 pm – 3:30 pm	Passcode: 130674

For additional information, please contact Amanda Tjemsland, Senior Tribal Epidemiologist, Office of Health and Science, at amanda.tjemsland@doh.wa.gov or 360-995-3324, or Candice Wilson, Executive Director, Office of Tribal Public Health and Relations (OTPHR), at candice.wilson@doh.wa.gov or 360-819-7626.

Next Steps: Consultation Closeout

- Agreement to close consultation
- Consultation response survey to Tribal leaders, partners, and professionals will be open from January 9, 2025 - January 24, 2025
- DOH will send a DTLL once consultation closes

FRIBAL CONSULTATION RESPONSE



Responses will be collected from January 9, 2025 - January 24, 2025

WA DOH CONSULTATION TRIBAL DATA SHARING AGREEMENT https://forms.office.com/g/ByYHwLEHzs

DOH TRIBAL CONSULTATION RESPONSE

Dear Tribal Leader Letter (DTLL) sent out on 12/9/24 https://doh.wa.gov/sites/default/files/2024-12/DTLL-DataSharingAgreement.pdf WA DOH Consultation & Collaboration Procedure https://doh.wa.gov/sites/default/files/legacy/Documents/1200//DOHConsulationColllaborationProcedure.pdf Consultation Party Response Form - Appendix B firibal response form by [date at least 10 days from receipt of this letter/consultation]. Name of Action or Policy: Tribal Data Sharing Agreement We welcome written/email/letter correspondence, or this form response, COMMENTS will be open for 10 working days after Consultation - closing on Thursday, January 23, 2025. Closing Date Extended to Friday January 24, 2025 Enter your answer							
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Dear Tribal Leader Letter (DTLL) sent out on 12/9/24 https://doh.wa.gov/sites/default/files/2024-12/DTL-DataSharingAgreement.pdf WA DOH Consultation & Collaboration Procedure https://doh.wa.gov/sites/default/files/2024-12/DTL-DataSharingAgreement.pdf Consultation Party Response Form - Appendix B fibribal response form by (date at least 10 days from receipt of this letter/consultation). Name of Action or Policy: Tribal Data Sharing Agreement We welcome written/email/letter correspondence, or this form response, COMMENTS will be open for 10 working days after Consultation - closing on Thursday, January 23, 2025. Closing Date Extended to Friday January 24, 2025 1. First & Last Name Enter your answer 2. Tribal Representation* (If other, please describe your role - *authorized representative) Tribal Delegate* Tribal Representative Tribal Representative Tribal Organization Representative							
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 ○ Tribal Delegate* ○ Tribal Representative ○ Tribal Organization Representative 	2. Tribal Representation* (If other, please describe your role - *authorized representative	e)					
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○ Tribal Organization Representative	○ Tribal Delegate*						
	Tribal Representative						
Other	Tribal Organization Representative						



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FRIBAL CONSULTATION RESPONSE





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https://forms.office.com/g/ByYHwLEHzs

WA DOH Consultation - Tribal Data Sharing Agreement (TDSA) Section 3/4 4. Response to this request for consultation: Thank you for the information and initiation letter; however, we do not need to consult any further on this issue. We do not have a comment or concern at this time, although we request continued notification regarding this issue. We wish to consult on this issue at the time and location referenced in DTLL. We wish to consult on this issue at an alternate time and location referenced in the DTLL. Please contact us at the number listed below to schedule this time. 5. Signature of Individual completing form: Enter your answer 6. Date: Enter your answer 7. Your Email: Enter your answer



WA DOH Consultation - Tribal Data Sharing Agreement (TDSA)

e do not need to con

we request continue

ion referenced in the

enced in DTLL.

WA DOH Consulta tion - Tribal Data

Sharing Agreement

Dear Tribal Leader Letter (DTLL) - De cember 9, 2024 WA DOH Consultation Tribal Data

ber list-

(TDSA)

January 9, 2025

Section 3/4

4. Response to this request for consultation:

8. Has there been a change to your authorized representative?

If so, whom should we contact about this issue if you are interested in further discussing this issue or receiving additional information? Please provide, Name, Phone Number, and Email/Fax Number:

Enter your answer

9. We honor and appreciate your time and consideration, we will continue to learn best practices as we implement the Tribal DSA, adjust our efforts, and work together to honor tribal data sovereignty principles.

Once again, we welcome writte/email/letter correspondence, and/or submission of this form response. COMMENTS will be open for 10 working days after the date of this Consultation - closing on Thursday, January 23, 2025.

WA DOH Consultation - Tribal Data Sharing Agreement (TDSA) This concludes WA DOH Consultation response.

Hy'shqe \)

WA DOH Office of Tribal Public Health & Relations OTPHR@doh.wa.gov

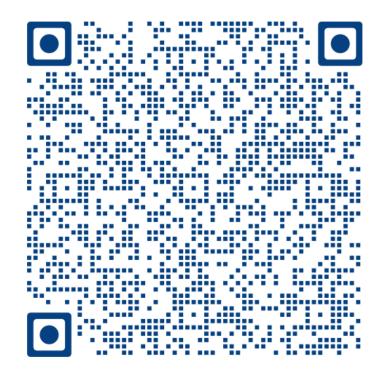
Back

Please proceed to the next page to submit your response, thank you!

Enter your answer

Back

Office of Tribal Public Health and Relations

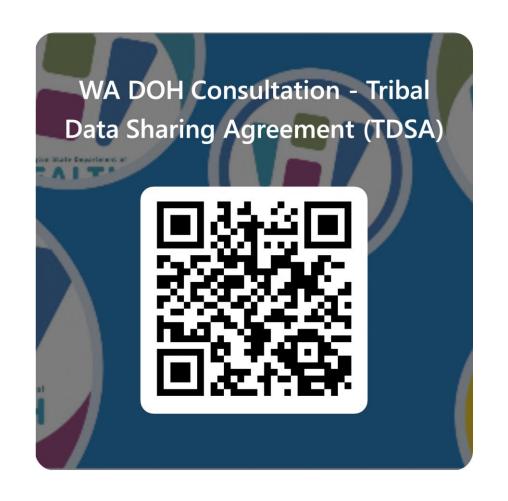




OTPHR



Candice Wilson Quatz'tenaut (Lummi)	Amber Arndt, MPH (Nisqually)	Rosalinda Fivekiller-Turk, MPA (Cherokee)	Michaela Marshall (Lummi)	Lois Scott	OTPHR Office
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