

 <p>County of San Diego EMS A Division of San Diego County Fire</p>	DATA COLLECTION		S-6XX
	LEMSA DATA USE AND STANDARDS		
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I. PURPOSE

This policy identifies the collection, use, and maintenance of prehospital, hospital, and other system operations data collected by the San Diego County EMS Office.

This policy also summarizes data use and reporting limitations by the San Diego County EMS Office, including compliance with applicable state and federal laws.

- II. AUTHORITY:** California Health and Safety Code, Division 2.5, Sections 1797.122, 1797.199, 1797.204, 1797.220, 1797.227, 1797.228, 1798 *et seq.*, and 1799.205; California Evidence Code, Sections 1040 and 1157 *et sec.*; California Civil Code, Division 1, Part 2.6; and California Code of Regulations (CCR), Title 22, Sections 100057.2, 100063.1, 100107, 100170, 100171, 100257, 100270.126, 100270.228, and 100450.223.

III. DEFINITIONS

California EMS Information System (CEMSIS): The California data standard for emergency medical services as defined by the California Emergency Medical Services Authority (EMSA).

Data Submitting Entity: This refers to all emergency medical service providers, including prehospital agencies, hospitals, and other participants in the organized EMS delivery system.

Hospital data: Patient-level Information, metrics, and other elements related to emergency department, stroke, STEMI, trauma, EMS for Children, and other clinical/healthcare programs. Hospital data includes, but is not limited to, patient dispositions, outcomes, program statuses, base hospital, and quality assurance information. Hospital data is received from receiving emergency departments, specialty care programs, and other paramedic receiving facilities, as identified in County EMS policies and state statutes.

National EMS Information System (NEMSIS): The national data standard for emergency medical services as defined by the National Highway Traffic and Safety Administration (NHTSA) and the NEMSIS Technical Assistance Center (TAC).

Prehospital data: Patient-level Information, metrics, and other elements related to the provision of EMS services. Prehospital data includes, but is not limited to, dispatch, patient care, transfer of care,

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and quality assurance information. Prehospital data is received from EMT and paramedic-level ground and air ambulances, fire departments, and other EMS system participants.

San Diego County EMS Office: The designated Local EMS Agency (LEMSA) for the County of San Diego. LEMSA functions, as outlined in California Health and Safety Code, Division 2.5, Sections 1797 et seq., including EMS interagency coordination and medical control, public health surveillance activities, EMS data and quality of care, regulation, and enforcement, trauma registry reporting, and other activities related to the oversight of the prehospital health care system in California. These functions are primarily for the benefit of the county's residents and visitors. Hospitals, EMS services, and other members of the organized EMS delivery system are obligated by statute to provide the necessary patient data. EMS providers and hospitals are required to submit information to the LEMSA and California EMS Agency to comply with their statutory requirements.

San Diego County Local EMS Information System (LEMSIS): LEMSIS is the sum of all patient care data collection software and hardware, data transmittal and storage software and hardware, and data analysis tools provided, to varying degrees, by the EMS Office to allied organizations within the San Diego County EMS System.

IV. POLICY

A. Data Stewardship

1. While the LEMSA will retain all entity submissions, stewardship of the original data and/or medical record remains with the submitting organization.
2. The County shall redirect all information requests, including subpoenas, to the applicable entity upon receiving such a request.
3. It shall remain the responsibility of each submitting entity to ensure that all data submitted is accurate, precise, and high quality.
4. Each entity directly entering data to LEMSIS shall be granted access to their own data. Third-party vendor data should continue to be accessed through the originating vendor.

B. Confidentiality

1. Data maintained by the San Diego County EMS Office are held as confidential in accordance with all state and federal laws, regulations, and rules. Patient-level or personally identifiable information will be protected as outlined by the Health Insurance Portability and Accountability Act (HIPAA). Patient records, including Prehospital, Hospital, and Hospital Specialty Care records, are not subject to discovery as outlined in California Evidence Code Sections 1040 and 1157, 1157.5, and 1157.7.

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C. Collection of Data

1. EMSA requires all LEMSAs to report and collect prehospital and hospital data provided by agencies, hospitals, and specialty care centers. The data are collected through various modules within the LEMSIS system.
2. Data will be collected in accordance with San Diego County EMS policy S-602 *EMS Provider Data Submission*.
3. Data may be collected in other formats or via other platforms, as needed, to inform specific county- and system-wide needs.

D. The San Diego County EMS Office does not use Prehospital or Hospital data in the following manners:

1. Posting, publication, or other non-confidential dissemination of entity, organization, or company data in a manner that could be reasonably expected to identify individual incidents, patients, care outcomes, or other specifics.
2. Posting, publication, or other non-confidential dissemination of entity, organization, or company-identifiable data regarding performance, service provision, or other metrics outside of the LEMSA's statutory or regulatory requirements.
3. Unless required by law or court order, respond to any inquiry for patient records including:
 - a) Patient records requests
 - b) Subpoenas for records
 - c) Public records requests
 - d) Media inquiries or requests for data
 - e) Law enforcement requests
4. Utilization of data for any other purpose outside of quality assurance / quality improvement functions established in statute, regulations, or LEMSA policy.
5. Pre-emptively seeking or identifying individual clinicians for disciplinary purposes.

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E. San Diego EMS Office will use prehospital, hospital, and specialty care data in the following ways:

1. Prehospital, hospital, and specialty care data will be collected for the purpose of fulfilling statutory requirements, including:
 - a) Upload of data to CEMSYS and NEMSIS
 - b) State of California EMS core measures
 - c) Ambulance patient offload time reporting
 - d) The linking of prehospital data to specialty care data or data registries
2. Quality assurance and performance improvement on a local level including but not limited to:
 - a) Prehospital Audit Committee
 - b) Medical Audit Committee on Trauma
 - c) Local Core Measures and Dashboards
 - d) Specialty Care Reports and Dashboards
 - e) Realtime monitoring of emergency medical system capacity and stress
 - f) Realtime identification of, and response to, relevant events such as infectious disease outbreaks and drug overdose clusters
 - g) Realtime patient data transmitted to receiving healthcare teams in advance of patient arrival
 - h) Disaster response and patient movement coordination
 - i) Missing persons searches
 - j) Epidemiologic research, trend identification, and analysis
3. Data analysis and aggregate data sharing related to quality improvement and system coordination with other entities, including across jurisdictions

F. The San Diego County EMS Office will collaborate with the EMS system and the data stewards prior to using data in the following ways:

1. Posting, publication, or other dissemination of entity-specific service, clinical, operational, or performance improvement data in addition to the LEMSA's statutory or regulatory requirements. Examples include:
 - a) Local Core Measure Scorecards
 - b) Specific clinical effectiveness metrics
 - c) Additional patient care output or outcome trends
 - d) Specialty care program status data

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G. The San Diego County EMS Office will gain the data steward's permission prior to using data in the following ways:

1. Disclosure of any response time statistics.
2. Academic research projects.
3. Community-sponsored projects (e.g., San Diego County Fire Chiefs' Association, San Diego County Stroke Consortium).

H. Data collection and system evaluation

1. EMSA requires all LEMSAs to report a set of outcome-based Core Measures based on data collected by agencies, hospitals, and specialty care centers. The data required to meet these measures is collected through LEMSIS; therefore, EMSA will be aware of each agency's data submission status.
2. Local defined measures and trends based on data collected from LEMSIS agencies, hospitals, and specialty care centers will be published by LEMSA.

I. The San Diego County EMS Office will comply with all applicable State and Federal laws

1. The San Diego County EMS Office will comply with all applicable state and federal laws pertaining to the access, use and disclosure of patient-identifiable records, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and corresponding regulations, and the California Confidentiality of Medical Records Act (Civil Code § 56 *et seq.*).
2. Requests for agency medical records or any other agency specific data will always be directed back to the agency who owns the data.
3. Information obtained from prehospital care data will not be disclosed to third parties except when compelled by a court order or state or federal law.