

National Violent Death Reporting System

Data Sharing Agreement for Restricted Access Dataset Release

I. General

1. Purpose

The National Violent Death Reporting System (NVDRS) Data Sharing Agreement (DSA) was created to govern the protection and use of sensitive or potentially identifiable NVDRS data, as required by the NVDRS Data Re-release Plan. Prior to release of NVDRS Restricted Access Data (RAD) by the Centers for Disease Control and Prevention (CDC), a DSA must be established for external users.

2. Background

NVDRS is a population-based, active surveillance system designed to obtain a complete census of violent deaths within a participating state. Data collection began in 2003. Each participating state collects information on its own deaths from death certificates, medical examiner/coroner files (including toxicology reports), and law enforcement records. Related fatal injuries involving multiple victims that occur within 24 hours of each other are linked in one incident. Over 600 unique data elements can be collected on each incident. As of 2018, the system includes all 50 states, the District of Columbia, and Puerto Rico. Cases consist of violent deaths from suicide, homicide, and legal intervention (e.g., individual is killed by law enforcement acting in the line of duty). In addition, NVDRS gathers information about unintentional firearm injury deaths and deaths of undetermined intent. Information is collected on the suspect (when known) and the relationship of the victim to the suspect to better characterize homicides.

CDC receives information about violent deaths from the health departments of participating states (or their bona fide agents) pursuant to the NVDRS Cooperative Agreements (CDC-RFA-CE21-2105, CDC-RFA-CE19-1905, and CDC-RFA-CE18-1804). These data do not contain personal identifiers, such as a name and street address, but they do include information that could potentially be identifying, such as city of residence, county of injury, and certain details in the narrative of the incident. Some of the data pertain to open investigations and include sensitive information, such as substance abuse and mental illness history.

To minimize the chance that individuals can be identified, requestors of RAD must submit a proposal describing the intended use of these data as well as measures to be taken to safeguard the data from inappropriate use (see section II.2.9). All proposals will be reviewed by a scientific panel at the CDC. Prior to the release of any data, approved requestors of RAD and their collaborators (including any individuals who will have access to the requested data) must agree to comply with the NVDRS DSA. The data must not be used for any other purpose beyond that specified in the approved request. At this time, there are no costs for accessing the NVDRS RAD. It is also important to note that CDC staff are unable to provide analytic or other technical assistance to any recipient(s) (i.e., principal investigator, co-principal investigator, and any collaborators who have access to the data) of NVDRS RAD for the proposed research.

The NVDRS Program will monitor compliance with the terms of the DSA. The NVDRS Program will communicate with researchers when data are to be destroyed. It will contact the users on those dates for confirmation of destruction of the data. The NVDRS Program will also search the published literature quarterly for mention of the NVDRS to ensure that DSAs had authorized the use of NVDRS RAD for those publications. In addition, the NVDRS Program may contact RAD users to inquire about publications of NVDRS RAD. The NVDRS Program will maintain a bibliography of all publications that make use of NVDRS data, whether from public-use data or RAD. Submission of citations of all publications using NVDRS data by sending an e-mail to nvdrs-rad@cdc.gov is required. The NVDRS Program may take other actions to ensure compliance, as necessary.

II. Requirements for Submitting an NVDRS RAD Request

1. Eligibility to Apply for NVDRS RAD

To request the NVDRS RAD, the principal investigator must meet all of the following criteria:

- Earned a master's degree or higher;
- Hold a research position or faculty appointment at his/her institution; students **must** apply under the mentorship of a faculty member, with the mentoring faculty member serving as the principal investigator;
- Home institution must be a research organization or a designated research department or office within a larger organization. Research is defined as conducting studies and producing reports to contribute to generalizable knowledge around the issues central to the organization's mission. For the purposes of the NVDRS RAD, a research organization either (a) focus exclusively on conducting research, or (b) has a core purpose that includes routinely conducting research. Research organizations can include, institutes of higher education, government agencies, research foundations and non-profit research institutions. Independent research institutes that have close relationships with large institutions (e.g., universities) but are not part of the institution and operate under their own authority also qualify for the NVDRS RAD provided that the other requirements are met.
- Local, county, tribal, state government employees, regardless of degree or research position, are also eligible to apply for the NVDRS RAD as part of their official research responsibilities.

All principal investigators must agree to comply with NVDRS RAD security, confidentiality, and data protection requirements, as outlined during the review process. Eligible principal investigators must prepare and submit a proposal. The ability of the principal investigator to conduct the proposed analyses and to comply with NVDRS RAD security, confidentiality, and data protection requirements is considered during the proposal package review process.

2. Description of the Proposed (Research) Project

In addition to the NVDRS checklist, please review the details regarding required proposal components. The 2-4 page proposal must include the following:

1. Cover letter on official home institution letterhead
2. Project title
3. Abstract summarizing the project (max. 250 words)
4. Full personal identification, institutional affiliation, mailing addresses, phone number, and email address of the person to be primarily responsible for care of the data and for compliance with the terms of the data sharing agreement
5. Names of all other collaborators who will be accessing the RAD files under the requesting principal investigator's supervision
6. Source of funding for the proposed project, if applicable
7. Background of study (max. 250 words)
 - Key study questions or hypotheses
 - Public health benefits: Requestors must provide evidence that there is a legitimate public health purpose that justifies the use of the data.
8. Methods for the study (max. 700 words)
 - Summary of the variables needed for the proposed research. A variable specifications sheet that lists available variables in the NVDRS will be provided prior to submitting the proposal and should be used for this purpose. This sheet with requested variables should be returned with the proposal.
 - In addition to specifying the requested NVDRS variables, any data from other sources that might be merged with NVDRS data should be described. To obtain the NVDRS coding manual and other NVDRS related materials, please visit <http://www.cdc.gov/violenceprevention/nvdrs/trainingtechnicalassist.html>.
 - Proposed analytic strategy (e.g., statistical analysis, data linkages).
9. Data management plan (max. 500 words)
 - Description of the mechanisms that will be in place to secure the data, preserve confidentiality, and prevent unauthorized access. These mechanisms are to include the data storage plan, limitations on access to the data, technical security practices such as password protection, use of stand-alone computers, encryption, and procedures covering networked computers and servers.
 - Description of the destruction of all NVDRS RAD files, and all derived files, when the approved use of the data will have been completed (i.e., on the agreed upon date scheduled by the CDC). The destruction date is three years from the receipt of the data unless otherwise specified. Before the 3year period expires, the principal investigator can apply to extend this destruction date for up to 2 one-year extensions.
10. Description of the anticipated products, reports, and publications to be derived from the data analyses (max. 250 words).
11. Completed and signed copy of the NVDRS DSA(Note: All collaborators on the proposal must sign this agreement). The NVDRS DSA form should be requested prior to submitting the proposal.

12. If the proposal includes any potential linking of NVDRS data with another data source that contains personally identifiable information, a signed copy of approval from the institution's IRB should be included.

A complete request for NVDRS RAD includes a description of the project proposal (see section II) and a signed copy of this DSA.

III. Terms and Conditions of the NVDRS Data Sharing Agreement

1. Terms Governing Use, Protection, and Reporting of Data

Prior to the release of any data, requestors, their collaborators, and an authorized institutional business official must agree to comply with all of the terms and conditions described below. The requestor's home institution might also require approval from the body of the requestor's home institution that is charged with the ethical review and approval of research projects. It is the requestor's responsibility to check with his or her institution and obtain any necessary approvals (e.g., IRB approval) for your records. CDC requires institutional IRB approval only when the proposal includes linking of NVDRS data with other data that contains personally identifiable information.

a. Use Limited to Research Project

The principal investigator(s) and all collaborators agree that the data will be used solely for the purpose approved by CDC. Furthermore, the principal investigator(s) and all collaborators agree to refrain from any attempt to link NVDRS RAD to any other dataset without prior permission from the CDC (any intention to link NVDRS RAD with other data should be specified in the initial request or follow-up request for the RAD and approved by the CDC). Researchers seeking to conduct additional analyses not specified in the approved proposal or to receive additional data years or variables that do not substantively change the scope of the approved project may contact the program at nvdrs-rad@cdc.gov to complete a project amendment request.

b. Non-transferability of Agreement

Substantive changes made to the project (including, but not limited to, the appointment of a new principal investigator to complete the project, the inclusion of additional collaborators who will have access to the data, or a change in the principal investigator's institutional affiliation) require the execution of a new DSA, or an amendment to the existing DSA. It is the sole responsibility of the principal investigator to alert the CDC of such changes (within 21 days of the change). If the principal investigator of NVDRS RAD changes positions or leaves an agency or institution, CDC should be notified within a week, and the principal investigator will be required to destroy the data as directed by the CDC.

c. No Disclosure of Data

The principal investigator(s) and all collaborators agree to employ all reasonable efforts to maintain the confidentiality of the data, with such efforts to be no less than the degree of care to preserve and safeguard its own data. The principal investigator(s) and all collaborators further agree not to disclose, reveal, or give the data, with or without charge, to any entity or any individual not listed in section III.k. without prior approval from the CDC.

In the event that the principal investigator is required by judicial or administrative process to disclose the data, the principal investigator must: (1) immediately notify the CDC's National Center for Injury Prevention and Control (NCIPC) and allow CDC a reasonable time to oppose the process; and (2) work in collaboration with the CDC to maintain confidentiality of the data. (The NVDRS Data Re-release Plan calls for expedited review and fast-track processing in the event of selected public health emergencies).

d. Non-identification of Subjects

The principal investigator(s) and all collaborators of NVDRS RAD agree to the following confidentiality restrictions:

- NVDRS data will be used solely for statistical analyses related to the approved project. No attempt will be made to identify specific individuals, households, or institutions. Data lists at the individual level will not be published or distributed.
- In the event of inadvertent discovery of the identity of any person during the course of the proposed project, the principal investigator(s) will (1) send an email to the RAD Help Desk at nvdrs-rad@cdc.gov which will then be routed by CDC to notify the NCIPC Associate Director for Science; (2) safeguard or destroy the identifying information as directed by the CDC; and (3) make no use of knowledge of the discovery. The identifying information must not be disclosed to any other individual or party.
- State VDRS data provided to CDC are protected under an Assurance of Confidentiality pursuant to Section 308(d) of the Public Health Service Act. An Assurance of Confidentiality is a formal confidentiality protection for data maintained by CDC authorized under Section 308(d) of the Public Health Service Act.
- If the data use agreement is violated, the principal investigator will be restricted from using NVDRS data in the future. (<https://www.cdc.gov/rdc/Data/b4/section308.pdf>)
- The data files provided to the researcher must be stored on, and accessed from, the secure computer system of the researcher's affiliated organization or institution. This means that the researcher should store files on a server that is behind a firewall, has data encryption, permits file access only to the approved researchers, and has encrypted network communications. The researcher would then access the files from a password-protected institutional desktop or laptop. If a secure computer system is not available, the researcher should store files on an encrypted, password-protected, stand-alone computer or laptop protected by anti-virus and anti-malware software.
- The inadvertent disclosure of potentially identifying information is to be avoided by using the following guidelines for the release of statistics derived from the requested dataset. For any data release format:
 - i. Annual counts and rates must be suppressed for cities or counties of fewer than 100,000 people.
 - ii. Cells showing or derived from fewer than 10 deaths must be suppressed, but "zero" cells may be shown. Cell "suppression" will take one of two approaches: 1) combining row or column categories so as to eliminate the small cells, or 2) suppressing the small cell, another cell in the same row, another cell in the same column, and a fourth cell at the intersection of the row and column containing the second and third suppressed cells. Suppression of the second and third additional

cells is necessary to prevent derivation of the small cell by subtraction from the row or column totals. Suppression of the fourth cell is necessary to prevent derivation of the second or third cells by subtraction. Beyond these specific guidelines, it must not otherwise be possible to derive identifying information by subtraction or other calculation from a table, or combination of tables, in any release format.

- iii. Rates are not to be computed for cells containing fewer than 20 deaths (or cases).
- iv. The disclosed data should never permit identification when used in combination with other known data.

e. Maintenance of Data Security and Oversight

The principal investigator(s) and all collaborators must ensure that the data security measures as required by section II.2.9 are enforced and maintained at all times during possession of NVDRS RAD. The principal investigator shall ensure that no unauthorized person (i.e., collaborators not listed in section III.k.) has access to the contents of NVDRS RAD files or to any files derived from RAD. Upon request, the principal investigator agrees to permit the inspection by the CDC of the physical storage, management, and handling of RAD files (at reasonable hours) and any other information relating to the DSA.

f. Notification of Pending Publications

The principal investigator agrees to notify the CDC in advance as to when and where a publication of a report (or other public disclosure) from the project will appear. In addition, the principal investigator agrees to provide the CDC, in advance of its appearance, a copy of any manuscript or other public disclosure document. CDC will respect the embargoed information and requests that this information is provided for awareness and record keeping purposes.

g. Non-endorsement Liability

The principal investigator(s) and all collaborators agree not to claim or imply Governmental endorsement of the research project, the entity, or personnel conducting the research project. Any published material derived from NVDRS data must acknowledge the CDC as the provider of the data and participating NVDRS states as the sources of the data. Published materials must also include a disclaimer that credits any analyses, interpretations, or conclusions reached by the author (i.e., the principal investigator(s) and any collaborators who received the data) to that author and not to the original sources of the data (i.e., NVDRS participating states) or to the CDC. The disclaimer should take the following form: “The National Violent Death Reporting System (NVDRS) is administered by the Centers for Disease Control and Prevention (CDC) by participating NVDRS states. The findings and conclusions of this study are those of the authors alone and do not necessarily represent the official position of the CDC or of participating NVDRS states.”

h. Termination and Disqualification

The CDC, in its sole discretion, may terminate the DSA if it determines that the principal investigator(s) and/or any collaborators are in violation of any condition of the DSA and such violation is not remedied within 30 days after the date of written notice of the violation. Furthermore, failure to comply with the DSA may result in the disqualification of the principal

investigator(s) and collaborators from having access to the NVDRS data. Violations should be addressed by sending an e-mail to nvdrs-rad@cdc.gov.

i. Duplication of Research

The principal investigator(s) and all collaborators of NVDRS RAD acknowledge that other researchers have access to NVDRS data in the form of public-use datasets and RAD and that duplication of research is a distinct possibility.

j. Destruction of All Sensitive Files at Project Completion

The principal investigator agrees to destroy all NVDRS RAD files, and all derived files three years from the receipt of the data unless otherwise specified. Before the 3 year period expires, the principal investigator can apply to extend this destruction date. Researchers can renew after the allowable access period for up to 2 one-year extensions.

k. Signatures

CDC represents that it has the requisite power and authority to enter into this DSA and to perform according to its terms.

The Principal Investigator warrants and represents that he/she has the requisite power and authority to enter into this DSA and to perform according to its terms, and that the Principal Investigator signing this DSA has authority to do so.

All listed recipients hereby agree to abide by the terms and conditions of this DSA.

Principal Investigator

Printed Name

Signature

Co-Principal Investigator (if applicable)

Printed Name

Signature

All other collaborators who will have access to the data (e.g., research assistants, statisticians):
Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

2. NVDRS Science Officer Contact Information

All requests for NVDRS RAD, or questions pertaining to NVDRS RAD, should be forwarded to:

NVDRS team
nvdrs-rad@cdc.gov

NVDRS Science Officer
Centers for Disease Control and Prevention
National Center for Injury Prevention and Control
Division of Violence Prevention
Surveillance Branch
4770 Buford Hwy NE, MS:F-63
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