



Access to Records

Medical Records

Information contained in a medical record is considered Protected Health Information (PHI) and is protected under the Health Insurance Portability and Accountability Act (HIPAA). Written permission to access PHI for research purposes must be obtained from the patient before access to the record is permitted.

Alternatively, a waiver or alteration of PHI for research purposes may be granted by a designated Privacy Board or IRB if authorization will not be obtained from the patient. The University of Arizona IRB is authorized to make a determination of a waiver or alteration of PHI for access to PHI for research associated with our affiliated academic hospitals (e.g., BUMC-T, BUMC-P, and BUMC-S). For access to PHI from another Covered Entity (e.g., medical practice or hospital), it is up to the individual Covered Entity to serve as the Privacy Board for use and access to PHI at their facilities for research purposes.

To obtain a waiver or alteration of PHI, the investigator must include protocol-specific justification for why access to the PHI is needed without written authorization of the patient. This request must be submitted to the IRB for review and approval via the *Appendix for Waiver or Alteration of Consent or PHI*.

Educational Records

Educational records are protected under The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99). FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when s/he reaches the age of 18 or attends school beyond the high school level.

The Registrar at the University of Arizona defines what information is considered “directory information.” Information regarding which data elements are directory information and from which the University’s list is selection can be found at www.registrar.arizona.edu/FERPA.

Written permission from the student is required to access non-directory information..

Student artifacts and other educational records cannot be accessed until after final grades are posted if any project personnel also has access to student grades. In addition, these project personnel cannot be involved in recruitment, consenting, or identifiable data collection or analysis of his/her students as to avoid the potential for undue influence or coercion. In this instance, a third party not affiliated with the study would need to be responsible for recruiting and consenting students as well as collecting identifiable data, including educational records, and hold those items until final grades are posted. This person will need to be the point of contact for the student to request withdraw from the study, if they wish to do so prior to posting of final grades. However, if the project



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personnel/instructor wishes to analyze data in real time, the third party can de-identify the data and share it with the project personnel/instructor.

Access to department specific records may be granted by the individual department. Permission for use of large-scale University of Arizona student records (undergraduate, graduate, and professional) is granted by the Registrar's Office. The request for release of information and a copy of the protocol must be submitted to the Registrar for a determination of whether the release of information is appropriate under FERPA.

Registrar
PO Box 210066
reghelp@email.arizona.edu

Employment Records

Access to records of employees of the University of Arizona (e.g., staff or faculty) requires the written consent of the employee per [ABOR Policy 6-912](#). The policy permits administrative access to personnel records only for authorized purposes. Research which typically is not considered an authorized purpose unless authorized by the President of the University

Access to employment records of another organization requires permission from that organization and according to their own policies.