A Model for Effective Data Sharing

Amy O'Hara
February 18, 2020
Automation

• Smart contracts
• Robot lawyers
• Streamlined process
• Setting expectations
• Build capacity
• Objectives – data sharing that is efficient, secure, equitable, and transparent
• Not just data sharing - data exchange and data access
• Tiered access – focus on restricted data and thresholds between tiers
• Outcomes – more access, building trust, reduce variability
• Getting to “Yes, unless” per Evidence Act
What is required:

- Shared vision
- Common vocabulary
- Collaboration across roles and disciplines
- Coordination across sectors and organizations
Examples: Roles and disciplines

Some are already working together

Need to have better information transmission
System of systems
Imagine this DUA Generator that queries rules, precedents, standard and best practices to autofill sections of agreements.
Legal Authority

• Rules engines
• Access
• Uses
• Users
• Security

HIPAA
FERPA

Title 7

Title 13

CA Civil Code Privacy Act

Title 42
Identifiers
• Will user get direct identifiers
• Who can handle identifiers
• Protocols (e.g., honest broker, trusted third party)
• Maintenance/disposition
• Certifying de-identification
Security

- Requirements based on data, laws, and regulations
- Institutional requirements
- Monitoring and control
- Liability
Output Review

- Monitoring scope
- Pre-publication review
- Notification prior to release
- Capturing code, data, results, IP
Reducing the risk of de-identification

Threat models

Risk assessment

Methods
Framework: Five Safes

• Safe Projects
• Safe People
• Safe Settings
• Safe Data
• Safe Outputs
In Development

- DUA generator
- Rules engines/policy databases
- Resource site
- Guides
Better Processes and Training

- Users
- Preparation
- Negotiation
- Responsibilities
- Transparency

Owners

Incentives/needs

Documentation

Extraction

Sharing/hosting
Unresolved

• Vocabulary
• Roles
• Incentives
• Support, including role of intermediaries
• Maintenance
• Adoption
Help!
- Workgroups on vocabulary and rules engines/policy databases
- Agreement convening
- Resource compilation
- Guide rating
- Training (needs or offerings)

Amy.ohara@Georgetown.edu