

UTSW Internal Data Use Requirements and Agreement
IBM MarketScan Research Databases (ICA Program)
Related to FY2022-11575/10990

Who is requesting use of the MarketScan Research Databases (“the User”)?

Note: While students may be part of study teams, this database cannot be used for student-only research. All requests must be from a UTSW faculty member.

Name and Title:

Primary Department:

Email:

What is the purpose of your project?

Please provide a high-level description of your study.

Please provide a fund code (chartfield string) to cover this request.

All requests will result in a dataset (“the project dataset”), which is a subset of the MarketScan data tailored to the scope of each project. Creating the project dataset and the associated programming support will require services provided through the Biostatistics and Data Science Core (BDSC) (current rate: \$105/hour). Total number of hours required for each project dataset depends on the scope of work, which will be discussed and agreed upon between the User and BDSC before the programming work starts.

Bus Unit	Op Unit	Dept	Account	Fund Type	Source	Function
----------	---------	------	---------	-----------	--------	----------

PC BU	Project ID	Activity ID
-------	------------	-------------

Please read each section. Indicate below each section understanding and agreement with restrictions for use of the ICA Program. If you are granted access, you become an “Authorized User”. You will be provided instructions for access at that time. Data used from the ICA Program may only be used through April 30, 2024. Please submit your request in PDF format electronically signed to: BDSC@UTSouthwestern.edu

Prohibition on Data Linking and Re-Identification

Customer and its Authorized Users will not:

- (1) re-identify, attempt to re-identify, or allow re-identification of any individual (whether a patient, beneficiary, provider or other person) contained within the Program;
- (2) re-identify, attempt to re-identify, or allow the re-identification of, any relative(s), family or household member(s) of such individual(s), unless required by law;
- (3) re-identify, attempt to re-identify, or allow any re-identification of the entities that are the sources of information that is included within the Program; or
- (4) aggregate or otherwise combine the Program with any other individual patient level, provider level, and/or payer level data or attempt to import into or otherwise link any data or data elements with or into the Program.

If the identity of any person, establishment or organization is discovered inadvertently, then (a) no use will be made of this knowledge; (b) the information that would identify any person, establishment or organization will be safeguarded or destroyed; and (c) no one else will be informed of the discovered identity.

Understand and Agree

Prohibition on State Specific Data

Customer is prohibited from reporting or publishing any state-specific norms/metrics for the state of South Carolina.

No Litigation

Customer may not use the ICA Program or any data resulting from analysis of the ICA Program for the purpose of use in any pending or anticipated litigation.

Understand and Agree

Authorized use is restricted to faculty and research staff that are affiliated with the UT Southwestern Center for Translational Medicine conducting intramural research activities in pursuit of the mission of the NIH CTSA program grant #1U54TR002361-01A1 led by Robert D. Toto.

License Restrictions

In addition to the prohibitions on use stated in the LI, the following uses of the ICA Program under this Order Doc are expressly prohibited:

- use by students working on student projects;
- use in a classroom setting;
- use by researchers in other associated or unassociated institutions who are not Customer's staff; and
- use by doctoral candidates for dissertation purposes or any other student research projects.

Understand and Agree

The incremental fee for a Study Rider to use the ICA Program for grant-funded research (foundation, state, or federal grant) is \$34,500 per study. The incremental fee to use the ICA Program for a commercially-funded research study is \$69,000 per study. Customer shall promptly notify IBM when new MarketScan-based research contracts/grants are awarded and will name the research study and the external source of funding for each study. The parties will agree to such incremental usage and fees by way of written amendments to this Order Doc.

Additionally, notwithstanding the end date of Customer's obligations in connection with any Study, the Study Rider authorizes Customer to use the Data only through the end date of its License unless IBM and Customer enter into a renewal license agreement that specifies a license term extending beyond any Study end date. In the event that Customer does not renew its License, the Expanded License (as defined in the applicable Study Rider) will terminate and Customer's responsibilities upon such termination are as set forth in this Agreement.

Understand and Agree

In addition to the above, the User agrees to the following:

1. To notify BDSC@UTSouthwestern.edu with any abstracts, posters, or publications that are accepted using MarketScan Data, or any grant applications that use these data to generate preliminary analyses.

Initial

2. To include the UTSW NIH CTSA grant as a funding source in any publications: 1U54TR002361.

Initial

3. That these data can only be used for internally funded projects; projects funded by external grants require additional fees (See final section above).

Initial

4. Derived project dataset can ONLY be stored on a UTSW managed device or UTSW managed server. All copies of the derived project dataset must be destroyed upon project completion. As the license for these data is only valid for one year at a time, continued access to the MarketScan Research Databases will dependent on ongoing renewals. If the license is not renewed, the User may be asked to delete their project dataset, even if projects are not complete.

Initial