

PRIVACY IMPACT ASSESSMENT (PIA)

PRESCRIBING AUTHORITY: DoD Instruction 5400.16, "DoD Privacy Impact Assessment (PIA) Guidance". Complete this form for Department of Defense (DoD) information systems or electronic collections of information (referred to as an "electronic collection" for the purpose of this form) that collect, maintain, use, and/or disseminate personally identifiable information (PII) about members of the public, Federal employees, contractors, or foreign nationals employed at U.S. military facilities internationally. In the case where no PII is collected, the PIA will serve as a conclusive determination that privacy requirements do not apply to system.

1. DOD INFORMATION SYSTEM/ELECTRONIC COLLECTION NAME:

Theater Medical Information Program - Joint Deployed Tele-Radiology System Theater (TMIP-J DTRS)

2. DOD COMPONENT NAME:

Defense Health Agency

3. PIA APPROVAL DATE:

01/23/24

Joint Operational Medicine Information Systems (JOMIS)

SECTION 1: PII DESCRIPTION SUMMARY (FOR PUBLIC RELEASE)

a. The PII is: (Check one. Note: Federal contractors, military family members, and foreign nationals are included in general public.)

- From members of the general public
 From Federal employees
 from both members of the general public and Federal employees
 Not Collected (if checked proceed to Section 4)

b. The PII is in a: (Check one.)

- New DoD Information System
 New Electronic Collection
 Existing DoD Information System
 Existing Electronic Collection
 Significantly Modified DoD Information System

c. Describe the purpose of this DoD information system or electronic collection and describe the types of personal information about individuals collected in the system.

Background: Tele-radiology is the electronic transmission of radiological images from one location to another for the purposes of interpretation and/or consultation. Tele-radiology allows for timely interpretation of radiological images, greater access to secondary consultations (i.e., users in different locations may simultaneously view images), and greater continuing education than non-electronically transmitted radiology. Appropriately utilized, tele-radiology can improve access to quality radiological interpretations and thus significantly improve patient care.

Purpose: The Deployed Tele-Radiology System (DTRS), a MedWeb© Commercial Off The Shelf (COTS) product, serves as the local Picture Archiving Communications System (PACS) providing tele-radiology services to deployed (active duty) forces in Theater.

DTRS servers combine the functions of a PACS archive, Digital Imaging Communication in Medicine (DICOM) web server, telemedicine web server, Ethernet Proxy gateway, Virtual Private Network (VPN) encryption router, and satellite enhanced DICOM internet tunnel. DTRS servers receive, store, and transmit medical images acquired from diagnostic imaging devices (e.g., Computed Radiography (CR) x-ray, Computed Tomography (CT), and Ultrasound (US)). Diagnostic workstations running the Medweb client application provide for the presentation and manipulation of DTRS PACS images. DTRS also comes equipped with a barcode scanner that captures patient demographic information from a patient's Common Access Card (CAC) and transmits that information into DTRS. All of this diagnostic information is assembled on DTRS servers and is made available via a web interface in encrypted format over Wide Area Network (WAN) connections (i.e., satellite or written to self-playing CD-ROMs).

DTRS is also composed of laptop computers (Medweb Lites) that provide the same functionality as a full service DTRS. Medweb Lites are compact and portable. They are specifically targeted for use at smaller Level II Military Treatment Facilities (MTFs) in remote locations. These mobile systems are configured to be used at a particular site and are not removed from their protected work space without authorization.

The types of personal information about individuals collected in the system include: Personal descriptors, ID numbers, health information, and life information.

DTRS acquires, stores, and transmits PII / PHI from active duty military personnel deployed in Theater. DTRS is owned by the Military Health System (MHS) / Department of Defense (DoD) and the systems are managed through a sustainment contract awarded by Joint Operational Medicine Information Systems (JOMIS). Medweb maintains and sustains the contract.

d. Why is the PII collected and/or what is the intended use of the PII? (e.g., verification, identification, authentication, data matching, mission-related use, administrative use)

The collection of PII is transmitted via DTRS and is used to verify and identify that individuals are associated with the correct images and

artifacts stored within TIR.

The PII / PHI is collected for the mission-related purpose of creating an accurate electronic health record that will follow a member through a continuum of care. The intended use of the collected PII / PHI will be used to associate the correct patient with their radiographic images and artifacts.

e. Do individuals have the opportunity to object to the collection of their PII? Yes No

(1) If "Yes," describe the method by which individuals can object to the collection of PII.

(2) If "No," state the reason why individuals cannot object to the collection of PII.

Submission of PII is voluntary; however, if an individual refuses to provide information, comprehensive healthcare may not be possible.

If an individual wants to object to their PII being collected, they may do so by signing DD form 2871 via email or face to face, "Request to Restrict Medical or Dental Information."

f. Do individuals have the opportunity to consent to the specific uses of their PII? Yes No

(1) If "Yes," describe the method by which individuals can give or withhold their consent.

(2) If "No," state the reason why individuals cannot give or withhold their consent.

Consent to the specific uses of PII is obtained as necessary in accordance with DoD 5400.11-R, "Department of Defense Privacy Program," C.4.1.3.

PHI is collected for permitted uses and disclosures as set forth in DoD 6025.18-R, "DoD Health Information Privacy Regulation." Individuals are informed of these uses and are given the opportunity to authorize or restrict the use of their PHI based on the procedures in place at the local facility where the data is collected and maintained, in accordance with DoD 6025.18-R.

Comprehensive healthcare may not be possible if the individual refuses to consent to the collection/use of personal information. An individual can consent via: encrypted email, face to face, or telephone call.

g. When an individual is asked to provide PII, a Privacy Act Statement (PAS) and/or a Privacy Advisory must be provided. (Check as appropriate and provide the actual wording.)

Privacy Act Statement Privacy Advisory Not Applicable

AUTHORITY: Public Law 104-191, Health Insurance Portability and Accountability Act of 1996; 10 U.S.C., Chapter Ch. 55, Medical and Dental Care; 10 U.S.C. 1097a, TRICARE Prime: Automatic Enrollments; Payment Options; 10 U.S.C. 1097b, TRICARE Prime and TRICARE Program: Financial Management; 10 U.S.C. 1079, Contracts for Medical Care for Spouses and Children: Plans; 10 U.S.C. 1079a, TRICARE Program: Treatment of Refunds and Other Amounts Collected Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); 10 U.S.C. 1086, Contracts for Health Benefits for Certain Members, Former Members, and Their Dependents; 10 U.S.C. 1095, Health Care Services Incurred on behalf of Covered Beneficiaries: Collection From Third-party Payers; 42 U.S.C. 290dd, Substance Abuse Among Government and Other Employees; 42 U.S.C. 290dd-2, Confidentiality Of Records; 42 U.S.C. Ch. 117, Sections 11131-11152, Reporting of Information; 45 CFR 164, Security and Privacy; Department of Defense (DoD) Instruction 6015.23, Foreign Military Personnel Care and Uniform Business Offices in Military Treatment Facilities (MTFS); DoD Manual (DoDM) 6025.18, "Implementation of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule in DoD Health Care Programs;" and E.O. 9397 (SSN).

PURPOSE: Theater Medical Information Program - Joint Deployed Tele-Radiology System (TMIP-J DTRS) is a MedWeb© Commercial off the Shelf product, serves as the local Picture Archiving Communications System providing tele-radiology services to deployed forces in Theater. TMIP-J DTRS receives, stores, and transmits medical images acquired from diagnostic imaging devices, such as Computed Radiography x-ray, Computed Tomography, and Ultrasound.

ROUTINE USES: In addition to those disclosures generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, as amended, these records may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. § 552a(b)(3) as follows: to contractors and others performing or working for the Federal Government when necessary to accomplish an agency function related to this System of Records; to the Department of Health and Human Services, other federal agencies, and academic institutions for the purposes of public health activities and conducting research; to the Department of Veteran's Affairs (VA) for the purpose of providing medical care, to determine the eligibility for benefits, to coordinate cost sharing activities, and to facilitate collaborative research activities between the DoD and VA; to the National Research Council, National Academy of Sciences, National Institutes of Health, Armed Forces Institute of Pathology, and similar institutions for authorized health research; to local and state government and agencies for compliance with local laws and regulations governing public health and welfare programs; and, among others, to federal offices and agencies involved in the documentation and review of defense occupational and environment exposure data. For a complete listing of the Routine Uses for this system, specifically those regarding disclosures to the Department of Justice, competent law enforcement authorities, Court and administrative law proceedings, the National Archives, and Records Management, Congress, and other appropriate Federal and non-Federal

agencies, entities, and persons related to DoD breach detection and response efforts, refer to the applicable SORN.

Any protected health information (PHI) in your records may be used and disclosed generally as permitted by the HIPAA Rules, as implemented within DoD. Permitted uses and disclosures of PHI include, but are not limited to, treatment, payment, and healthcare operations.

APPLICABLE SORN: EDHA 07, Military Health Information System (June 15, 2020; 85 FR 36190) <https://dpcl.d.defense.gov/Portals/49/Documents/Privacy/SORNs/DHA/EDHA-07.pdf>

DISCLOSURE: Voluntary. If you choose not to provide the requested information, there may be an administrative delay; however, care will not be denied and no penalties will be imposed.

h. With whom will the PII be shared through data/system exchange, both within your DoD Component and outside your Component?
(Check all that apply)

Within the DoD Component

Specify.

Joint Operational Medicine Information Systems (JOMIS) and Solution Delivery Division (SDD) - PII is shared to identify the patient, the patient's image and order information.

Other DoD Components (i.e. Army, Navy, Air Force)

Specify.

Army, Air Force and Navy/Marine Corps - PII is shared to identify the patient, the patient's image and order information.

Other Federal Agencies (i.e. Veteran's Affairs, Energy, State)

Specify.

State and Local Agencies

Specify.

NEXSYS Electronics Inc., Medweb

Contractor (Name of contractor and describe the language in the contract that safeguards PII. Include whether FAR privacy clauses, i.e., 52.224-1, Privacy Act Notification, 52.224-2, Privacy Act, and FAR 39.105 are included in the contract.)

Specify.

The contract with NEXSYS Electronics Inc., Medweb contains a Business Associate Agreement (BAA) which states: "In accordance with DoD 6025.18-R "Department of Defense Health Information Privacy Regulation," January 24, 2003, the contractor meets the definition of Business Associate (BA). Therefore, a Business Associate Agreement is required to comply with both the Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security regulations. This clause serves as that agreement whereby the Contractor agrees to abide by all applicable HIPAA Privacy and Security requirements regarding health information as defined in this clause, and in DoD 6025.18-R and DoD 8580.02-R, as amended."
Furthermore, the BAA states: "The Contractor agrees to use administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the electronic protected health information that it creates, receives, maintains, or transmits in the execution of this Contract."
The data is shared only within the DoD between Military MTF's throughout theater and garrison.
MTF personnel with the appropriate level of certification will be granted access as a result of a National Agency Check with Written Inquires (NACI) or DoD-determined equivalent investigation and personnel on a need-to-know basis. PII is shared to identify the patient, the patient's image and order information.

Other (e.g., commercial providers, colleges).

Specify.

i. Source of the PII collected is: (Check all that apply and list all information systems if applicable)

Individuals

Databases

Existing DoD Information Systems

Commercial Systems

Other Federal Information Systems

TC2 (Theater Medical Information Program-Joint Composite Health Care System / Caché)
PACS systems (Picture Archiving Communications System)

j. How will the information be collected? (Check all that apply and list all Official Form Numbers if applicable)

- | | |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <input type="checkbox"/> E-mail | <input type="checkbox"/> Official Form (Enter Form Number(s) in the box below) |
| <input checked="" type="checkbox"/> In-Person Contact | <input type="checkbox"/> Paper |
| <input type="checkbox"/> Fax | <input type="checkbox"/> Telephone Interview |
| <input checked="" type="checkbox"/> Information Sharing - System to System | <input type="checkbox"/> Website/E-Form |
| <input type="checkbox"/> Other (If Other, enter the information in the box below) | |

k. Does this DoD Information system or electronic collection require a Privacy Act System of Records Notice (SORN)?

A Privacy Act SORN is required if the information system or electronic collection contains information about U.S. citizens or lawful permanent U.S. residents that is retrieved by name or other unique identifier. PIA and Privacy Act SORN information must be consistent.

- Yes No

If "Yes," enter SORN System Identifier

SORN Identifier, not the Federal Register (FR) Citation. Consult the DoD Component Privacy Office for additional information or <http://dpcl.d.defense.gov/Privacy/SORNs/>
or

If a SORN has not yet been published in the Federal Register, enter date of submission for approval to Defense Privacy, Civil Liberties, and Transparency Division (DPCLTD). Consult the DoD Component Privacy Office for this date

If "No," explain why the SORN is not required in accordance with DoD Regulation 5400.11-R: Department of Defense Privacy Program.

l. What is the National Archives and Records Administration (NARA) approved, pending or general records schedule (GRS) disposition authority for the system or for the records maintained in the system?

- (1) NARA Job Number or General Records Schedule Authority.
- (2) If pending, provide the date the SF-115 was submitted to NARA.
- (3) Retention Instructions.

FILE NUMBER: 927-17

DISPOSITION: Temporary. Cut off after the end of the calendar year in which the last film was taken. Destroy 5 years after cutoff.

m. What is the authority to collect information? A Federal law or Executive Order must authorize the collection and maintenance of a system of records. For PII not collected or maintained in a system of records, the collection or maintenance of the PII must be necessary to discharge the requirements of a statute or Executive Order.

- (1) If this system has a Privacy Act SORN, the authorities in this PIA and the existing Privacy Act SORN should be similar.
- (2) If a SORN does not apply, cite the authority for this DoD information system or electronic collection to collect, use, maintain and/or disseminate PII. (If multiple authorities are cited, provide all that apply).
- (a) Cite the specific provisions of the statute and/or EO that authorizes the operation of the system and the collection of PII.
- (b) If direct statutory authority or an Executive Order does not exist, indirect statutory authority may be cited if the authority requires the operation or administration of a program, the execution of which will require the collection and maintenance of a system of records.
- (c) If direct or indirect authority does not exist, DoD Components can use their general statutory grants of authority ("internal housekeeping") as the primary authority. The requirement, directive, or instruction implementing the statute within the DoD Component must be identified.

5 U.S.C. 301, Department Regulation; 10 U.S.C., Chapter 55; Pub.L. 104-91, Health Insurance Portability and Accountability Act of 1996; DoD 6025.18-R, DoD Health Information Privacy Regulation; 10 U.S.C. 1071-1085, Medical and Dental Care; 42 U.S.C. Chapter 117, Sections 11131-11152, Reporting of Information; 10 U.S.C. 1097a and 1097b, TRICARE Prime and TRICARE Program; 10 U.S.C. 1079, Contracts for Medical Care for Spouses and Children; 10 U.S.C. 1079a, Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); 10 U.S.C. 1086, Contracts for Health Benefits for Certain Members, Former Members, and Their Dependents; DoD

Instruction 6015.23, Delivery of Healthcare at Military Treatment Facilities (MTFs); DoD 6010.8-R, CHAMPUS; 10 U.S.C. 1095, Collection from Third Party Payers Act; and E.O. 9397 (SSN).

n. Does this DoD information system or electronic collection have an active and approved Office of Management and Budget (OMB) Control Number?

Contact the Component Information Management Control Officer or DoD Clearance Officer for this information. This number indicates OMB approval to collect data from 10 or more members of the public in a 12-month period regardless of form or format.

Yes No Pending

- (1) If "Yes," list all applicable OMB Control Numbers, collection titles, and expiration dates.
- (2) If "No," explain why OMB approval is not required in accordance with DoD Manual 8910.01, Volume 2, "DoD Information Collections Manual: Procedures for DoD Public Information Collections."
- (3) If "Pending," provide the date for the 60 and/or 30 day notice and the Federal Register citation.

OMB approval is not required in accordance with DoD Manual 9810.01, Volume 2, "DoD Information Collections Manual: Procedures for DoD Public Information Collections, 8(b)5.