



THE ASSISTANT SECRETARY OF DEFENSE

1200 DEFENSE PENTAGON
WASHINGTON, DC 20301-1200

HEALTH AFFAIRS

APR - 1 2008

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (MANPOWER
AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE NAVY (MANPOWER
AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE AIR FORCE
(MANPOWER AND RESERVE AFFAIRS)

SUBJECT: Policy for Conducting Surveys and Studies-Related Information Collection
Requirements in the Military Health System

This memorandum supersedes previous policy guidance, dated June 30, 2000, "Policy for Surveys and Other Information Requirements within the Military Health System." The purpose of this memorandum is to amplify existing laws, directives, and policies to provide guidance and procedures for the conduct, management, and control of Military Health System-wide surveys and other information collection requests. This memorandum identifies the major survey efforts currently sponsored by the Office of the Assistant Secretary of Defense (Health Affairs) and outlines the general requirements for obtaining approval of any survey designed to meet information needs not addressed in Health Affairs-sponsored surveys (see attachment 1). This memorandum supersedes previous policy guidance, dated June 30, 2000, "Policy for Surveys and Other Information Requirements within the Military Health System."

My points of contact are Richard Bannick, Ph.D., or Ms. Kim Frazier, Information Management Control Officer, at (703) 681-3636, or Richard.Bannick@tma.osd.mil, and Kim.Frazier@tma.osd.mil, respectively.


S. Ward Casscells, MD

Attachment:
As stated

cc:
Surgeon General of the Army
Surgeon General of the Navy
Surgeon General of the Air Force

HA POLICY: 08-003

ATTACHMENT 1

- The National Defense Authorization Act (NDAA) for Fiscal Year 1993 (Public Law, 102-484, Section 706), requires the Department of Defense (DoD) to annually assess, through formal survey, MHS beneficiary familiarity, and access to and satisfaction with the Department's health care program. In addition, HA/TRICARE Management Activity (TMA) conducts surveys as required by Public Law or under Departmental direction, consistent with the Department's mission and strategic plan.
- The OASD (HA) currently sponsors several DoD-wide surveys across multiple Services. These surveys assess beneficiary access, satisfaction, preferences, and population health issues across direct and purchased care settings, and across time, usually benchmarked to comparable civilian findings. This office also sponsors other ad hoc surveys to meet specific Department needs for corporate management information and data to include reporting metrics for the Annual Defense Review and Departmental Balanced Scorecard and to assess civilian physician acceptance of various aspects of TRICARE. With few exceptions, health care surveys involving MHS beneficiaries, institutions, staff, or providers must undertake at least three reviews, which are addressed in more detail below:
 - Review of the survey instrument and strategy for licensure;
 - Review of research for human subjects protection (i.e., Institutional Review Boards); and
 - Review and approval for access to, or extraction of, sensitive privacy data to identify and contact survey participants.

Review of the survey instrument and strategy for licensure:

- All data collections must be licensed or explicitly exempted from licensure by an approving authority and the licensure or exemption must be clearly shown on the data collection form.
- Surveys that are not licensed or exempted by the appropriate authorities are unauthorized, and beneficiaries should not be solicited to respond to unlicensed surveys. Moreover, personnel conducting unlicensed surveys of MHS personnel should discontinue them and initiate the appropriate review and approval process. In the absence of appropriate review and approval, or pending review and approval, unlicensed surveys may be terminated by the licensing authorities.

- Surveys involving members of the public must be externally reviewed by the appropriate DoD entity and submitted to the Office of Management and Budget (OMB) for approval and licensure. Determination of “public” begins with submission to DoD entity and possible review by the Office of the Under Secretary of Defense (Personnel and Readiness) (OUSD (P&R)), or its designated agency. OMB-approved surveys will be issued, and will display, the OMB control number and expiration date.

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- If surveys meet the exemptions from OMB review, granted in the Paperwork Reduction Act, they need to show only internal DoD licensure, or that they have exemption from DoD licensure.
 - For example, certain surveys of Government employees are exempted from review by OMB. 10 United States Code, Section 1782, exempts from OMB review voluntary surveys of members of the Armed Forces, on Active Duty or in an Active status, members of the families of such members, and retired members of the Armed Forces, to determine the effectiveness of Federal programs relating to Military families and the need for new programs. With respect to such surveys, family members of members of the Armed Forces and Reserve and retired members of the Armed Forces shall be considered to be employees of the United States for purposes of Section 3502(3)(A)(i) of Title 44 (Paperwork Reduction Act).
 - Such surveys are still subjected to internal DoD review requirements.
- In accordance with DoD Instruction (DoDI) 8910.01 “Information Collection and Reporting,” all data collections in the Department must be approved and show a Report Control Symbol (RCS) or must state exemption.
 - Surveys by a Service of recipients internal to the Service should be reviewed, approved, and licensed by the appropriate level within the Service. The licensure is shown by displaying the RCS or stating an exemption was granted by the licensing authority. Review and approval of surveys by a Service of its own members will usually be performed only within that Service. It follows that HA/TMA may survey its own staff after review and approval within HA/TMA only; however, HA/TMA surveys of beneficiaries are usually subject to the other reviews and approvals described in this document.

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- DoDI 1100.13, “Surveys of DoD Personnel,” stipulates that surveys requiring participation by personnel in a DoD Component, other than the sponsoring Component, must be reviewed internally (within the Component), as well as reviewed and licensed externally by the appropriate DoD entity. In these cases, the sponsoring Service will submit the proposed survey for review by the OUSD (P&R), Defense Manpower Data Center (DMDC)/Human Resources Strategic Assessment Program, which will provide a recommendation to Washington Headquarters Services (WHS) for final approval and licensure, and assignment of RCS and expiration date. A survey, or information collection, involving more than one Service can be approved and licensed, disapproved or exempted only by WHS. Even if DMDC finds the proposed data collection is not a survey, as defined in this document and in DoDI 1100.13, HA/TMA must still submit it to WHS for final approval and licensure.

For MHS surveys:

- ASD (HA)-Sponsored Surveys: Surveys or data collection efforts sponsored by the ASD (HA) will be submitted to OUSD (P&R) for review and approval for assignment of an RCS number. Similarly, OUSD (P&R) will determine if the survey should be forwarded to OMB for subsequent review and approval if it might involve members of the public.
- ASD (HA) Review of MHS Surveys: In keeping with the tenets of DoD Directive (DoDD) 8910.01, “Management and Control of Information Requirements” and DoDI 1100.13, OASD (HA)/TMA supports OUSD (P&R) by reviewing and ensuring that all MHS-sponsored surveys or other information requirements of more than one Service are necessary, non-duplicative, and effective. Approved surveys must protect individual privacy and not present an undue burden on respondents. The formal review authority for surveys is DMDC and the formal “licensing” authorities WHS and/or OMB.
- Service Surveys: Service survey sponsors within the MHS are expected to seek review of any proposed surveys where the intent or likelihood is to include Service members, or their families, of another Service. This external review begins by the Service submitting the survey to OASD (HA)/TMA-Health Program Analysis and Evaluation (HPA&E) for recommendation to OUSD (P&R)/DMDC.

- Surveys of MHS beneficiaries, including military treatment facility (MTF) patients, whether by mail, telephone, Internet or local questionnaires, almost always cross Service lines and therefore require OSD level survey review and approval, when sponsored above the level of the single MTF or installation.
- This authority does not prevent a DoD Component from conducting a survey of its own personnel or Service beneficiaries when the survey does not involve other Component members or beneficiaries. The DoD Component is responsible for consulting with its Information Management Control Officer (IMCO) to ensure local clearance requirements are met for its survey, or those surveys within its purview, and to ensure conformance with applicable DoD and Service directives for appropriateness, human subject research review, and access to sensitive patient privacy data.
- In accordance with DoD 8910.1-M, “DoD Procedures for Management of Information Requirements” to facilitate the complex clearance process(es), individuals, groups or organizations requesting licensure shall coordinate with their appropriate Agency or Component Information Management Control Officer prior to initiating a request for survey or information collection clearance.
- Under certain circumstances, some surveys or information collections are exempt from licensure external to the Service. When a survey is determined to be exempt by WHS and/or OMB, that citation shall be prominently displayed on the survey instrument. Two frequently cited exemptions are:
 - MTFs: MTFs may conduct local level surveys of assigned personnel (irrespective of Service affiliation) or beneficiaries treated by MTF to assess MTF or staff performance. These surveys should be administered on site and the results published and/or utilized at the local level. Surveys of this nature will not require OASD (HA)/TMA level review and sponsorship, however, they should be designed to avoid excessive duplication with existing TMA or Service-sponsored surveys and conform to local and Component guidance relative to survey review, cost, burden and privacy. MTFs will follow Service procedures for review, approval and licensure, to include human subjects research review, as appropriate. The Service has the authority to determine if higher level review is warranted. If such review is determined as warranted, the Service will work with HA/TMA for review determination.

- Clinical Research: DoD 8910.1-M, “DoD Procedures for Management of Information Requirements,” sections C3.8.2.3.5 and C4.4.10, exempts clinical research from survey licensing requirements addressed in this memorandum. Appropriate human subjects review related to the clinical research must be provided by appropriate authority.
- Under the general guidance, all surveys should be screened for cost, quality and burden. In addition consideration for sponsorship by HA/TMA for surveys of MHS beneficiaries shall be based on at least one of the following criteria:
 - Direction by Congress, Public Law, DoDD, DoDI;
 - Relationship to HA/TMA strategic plans, goals or objectives, and key programs or initiatives;
 - Required by the Government Accountability Office, the DoD Office of the Inspector General, etc.;
 - When supplementary to an existing survey or information collection.
- Under the purview of ASD (HA) chartered MHS Survey Work Group, each Service, and the Uniformed Services University of the Health Sciences shall appoint a representative to the Work Group, chaired by TMA/HPA&E. This Work Group serves as the central forum for facilitating the efficient, effective and quality development, improvement and implementation of the MHS Survey Program.

Review of research for human subjects protection (i.e., Institutional Review Board):

- With respect to “survey based research,” DoDD 3216.02, “Protection of Human Subjects and Adherence to Ethical Standards in DoD- Supported Research,” requires that any research conducted or supported by a Federal department or agency must comply with the Department of Health and Human Services and DoD human subjects protection regulations. These directives and regulations provide extensive guidance on human subjects protection to include information on Institutional Review Board requirements.

Review and Approval for Access to Sensitive Privacy Data to Identify and Contact Survey Participants:

- The TMA Privacy Office is responsible for controlling access to and monitoring the release of patient, related sensitive corporate information to internal and external requestors through the enforcement of data use agreements (DUAs). DUA Division within the Privacy Office approves and monitors access to corporate information systems containing patient information. Government personnel are required to obtain password protected accounts for access to these systems. Non-DoD personnel are required to complete a DUA which:
 - Describes the user's relationship to TMA (e.g., contractual),
 - Describes the specific purpose and use of the data and validates the requestors' "need-to-know,"
 - Delineates the individuals who are granted access to the data, and
 - Emphasizes the user's responsibility to comply with privacy legislation and regulations.

The Privacy Office delineates a number of key policies at www.tricare.mil/tmaprivacy/default.cfm. These policies cover a broad range of data protection and patient privacy, to include: DoD sponsorship for access to MHS data, Health Insurance Portability Accountability Act privacy and security requirements, the Freedom of Information Act, systems of records, and DUAs.

DOCUMENT MANAGEMENT DIVISION

REQUEST FOR OFFICIAL HEALTH AFFAIRS POLICY AND WEB POSTING

Subject: HA/TMA Policy for Surveys and Studies-Related
Information Collection Requirements within the MHS

Livelihood: 140486, 140540

Action Office/Action Officer: Richard Bannick

Phone: 681-3636

CHIEF OF STAFF DECISION:

Upon signature, assign a Health Affairs policy number and post on the MHS Web site.

Approved:  3.27.08

Disapproved: _____