



RON CHAPMAN, MD, MPH  
Director & State Health Officer

Vital Statistics Advisory Committee (VSAC)  
Vital Records Protection Advisory Committee (VRPAC)  
Joint Meeting  
Meeting Minutes for Wednesday September 10, 2014  
9:00 A.M.



EDMUND G. BROWN JR.  
Governor

**ATTENDEES:**

**Convener:**

Terri Mack, MPA, Chief, Health Information and Research Section

**Committee Members:**

**Absent:** Matthew Sundquist

**Phone:** Sun Lee, MPH, Los Angeles County Department of Public Health, Jonathan Teague, MCRP, Office of Statewide Planning and Development, David Grant, PhD., UCLA Center for Health Policy Research, Erlinda Valdez, Board Member, California Funeral Directors Association, Emily Putnam-Hornstein, PhD, University of Southern California

**California Department of Public Health (CDPH) Staff:**

**Present:** Henry Montes, Chief, Data Management Unit, Cindy Tanaka-Fong, Research Analyst II, DMU, Colin Chew, Research Analyst I, DMU, Heather Fukushima, HPS I, Laura Lund, MA, Science Advisor

**Public Attendees:** None

**CALL TO ORDER:** The meeting was called to order at 9:00 A.M.

**A/B. WELCOME/INTRODUCTIONS:**

Staff and Committee present attending the meeting included Laura Lund, Science Advisor, Henry Montes, Chief, Data Management Unit, Heather Spencer-Fukushima, Health Program Specialist, Cindy Tanaka-Fong, Research Analyst II, and Colin Chew, Research Analyst I

Committee members on the phone included Jonathan Teague, Manager, Office of Statewide Planning and Development, David Grant, Director, California Health Interview Survey, UCLA Center for

Health Policy Research, Erlinda Valdez, Board Member, California Funeral Directors Association Sun Lee, Department of Public Health, County of Los Angeles, and Emily Putnam-Hornstein, PhD., University of Southern California

Terri informed everyone that the meeting was being recorded to assist with note taking purposes. We have reserved a portion of the meeting for public comment.

**C. APPROVAL OF MINUTES FROM THE PREVIOUS MEETING:**

The minutes showed Erlinda Valdez as being the Chief of the California Funeral Directors Association and it should be Board Member. Erlinda Valdez motioned to approve the August 13, 2014 meeting minutes with the correction as noted. Jonathan Teague seconded the motion. All Committee members voted to approve the minutes. There were no oppositions. Motion carried. The minutes have been approved as distributed with the correction as noted.

**D. VSAC RECOMMENDATIONS FROM THE PREVIOUS MEETING:**

The State Registrar's Responses to VSAC Recommendations are included in your agenda package as Attachment 1.

**E. NEW BUSINESS:**

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Eight projects were reviewed.

The first project reviewed by the Committee was:

**Project Title:** "Perinatal Profiles"

**Principal Investigator(s):** Ray Catalano, PhD, University of California, Berkeley

**Project Type:** Continuing Project with changes

**CPHS Approval:** Approved

**Project No.:** 12-10-0836

**Expiration:** December 5, 2014

**File(s) Requested:** 2012 Birth Statistical Master File (select variables), 2011 Birth Cohort File (select variables)

**Requested Identifiers:** BSMF (NOPI), Birth Cohort File (NOPI)

**Personal Contact:** No

**Identifiers Released:** No

**History:** Previous Data Request

**VSAC Motion:** David Grant motioned to recommend approval of the data release. Jonathan Teague seconded the motion.

**VSAC Discussion:** No Discussion

**VSAC Vote:** The Committee members all voted aye. There were no oppositions. Motion carried. The Committee has voted to recommend that the State Registrar approve the use of the data as described in the protocol.

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The second project reviewed by the Committee was:

**Project Title:** "Investigation of the Relation of Fine Particulate Air Pollution and Temperature to Mortality in California"

**Principal Investigator(s):** Rachel Broadwin, California Environmental Protection Agency, Office of Environmental Health Hazard Assessment

**Project Type:** Continuing Project

**CPHS Approval:** Approved

**Project No.:** 12-05-0246

**Expiration:** August 7, 2015

**File(s) Requested:** use of previous data obtained – 2008-2011 Death Statistical Master File (select variables)

**Requested Identifiers:** DSMF (NOPI)

**Personal Contact:** No

**Identifiers Released:** No

**History:** Previous Data Request

**VSAC Motion:** Jonathan Teague motioned to recommend approval of the data. David Grant seconded the motion.

**VSAC Discussion:** No Discussion

**VSAC Vote:** The Committee members all voted in favor of recommending approval of the data request. There were no

oppositions. Motion carried. The Committee has voted to recommend that the State Registrar approve the use of the data as described in the protocol.

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The third project reviewed by the Committee was:

**Project Title:** "Adverse Birth Outcomes Associated with Ambient Temperature in California, 1999-2009"

**Principal Investigator(s):** Rupa Basu, PhD, MPH, California Environmental Protection Agency, Office of Environmental Health Hazard Assessment

**Project Type:** Continuing Project

**CPHS Approval:** Approved

**Project No:** 12-07-0481

**Expiration:** August 7, 2015

**File(s) Requested:** use of previous data received - 2007-2009 Birth Statistical Master File (select variables), 1999-2009 Fetal Death Statistical Master File (select variables), 1996-2006 Birth Statistical Master File (select variables)

**Requested Identifiers:** FDSMF (NOPI), 2007-2009 BSMF (NOPI), 1996-2006 BSMF (Name, Certificate Number, Address)

**Personal Contact:** No

**Identifiers Released:** No

**History:** Previous Data Request

**VSAC Motion:** Jonathan Teague motioned to recommend approval of the data release. Emily Putnam-Hornstein seconded the motion.

**VSAC Discussion:** Jonathan stated that the project should be a continuing project.

**VSAC Vote:** The Committee members all voted aye. There were no oppositions. Motion carried. The Committee has voted to recommend that the State Registrar approve the use of the data as described in the protocol.

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The fourth project reviewed by the Committee was:

**Project Title:** "Chronic Disease in California, 2007-2016"

**Principal Investigator(s):** Shannon Conroy, PhD, MPH,  
CPHS/Chronic Disease Control Branch

**Project Type:** New Project

**CPHS Approval:** Approved

**Project No.:** 13-12-1428

**Expiration:** February 6, 2015

**File(s) Requested:** 2013 Non-Public PDD, 2013 Non-Public EDD,  
2013 Non-Public ASCD

**Requested Identifiers:** California identifiers

**Personal Contact:** No

**Identifiers Released:** No

**History:** New Data Request

**VSAC Motion:** Jonathan Teague motioned to recommend approval of the data release. Sun Lee seconded the motion.

**VSAC Discussion:** Comments from the Science Advisor included that this looks like two different applications in one. There is an ongoing surveillance project for public health purposes as described and also a research project assessing the impact of social policy change. This Committee has not usually let out data for two different projects in a single application. The Committee commented how the two parts of the research program in particular has to establish a baseline and trying to access the effects of Affordable Healthcare Act in light of the baseline. The question is how does surveillance fit into this? The Committee felt that it was quite reasonable. Jonathan commented that they had no issue with the use OSHPD data used in this way. The Science Advisor said it was up to the Committee if they felt comfortable with the description even though it was a two-fer, if the Committee is happy with how it was described in the application, she did not have a problem with the purpose and use of either study. Since CPHS felt that this fine, there was no concern with the Committee.

**VSAC Vote:** The Committee members all voted aye. There were no oppositions. Motion carried. The Committee has voted to recommend

that the State Registrar approve the use of the data as described in the protocol.

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The fifth project reviewed by the Committee was:

**Project Title:** "The Path to Language and Literacy: A Cross-Linguistic Longitudinal Approach"

**Principal Investigator(s):** Margaret Friend, PhD, MA, San Diego State University

**Project Type:** Continuing Project

**CPHS Approval:** Approved

**Project No.:** 13-02-1088

**Expiration:** April 3, 2015

**File(s) Requested:** Birth and Death Records for subjects with date of birth between 9/1/12-9/1/13

**Requested Identifiers:** Birth and Death Records (Name, Mother's Address)

**Personal Contact:** Yes

**Identifiers Released:** No

**History:** Previous Data Request

**VSAC Motions:** David Grant motioned to recommend approval of the data release. Jonathan Teague seconded the motion.

**VSAC Discussion:** The Committee expressed concern on page 11 (d) of the protocol and how people are recruited. It seems very sketchy on how the recruitment is done. It was their understanding that they would be identifying potential recruits with the birth file and using the death file to filter out any cases where they would be contacting grieving parents. The Science Advisor stated for the purposes of this Committee's review, it would be important they are comfortable with how the Vital Records data would be used, there may be other part of the recruitment of the project that seem vague or unspecified but unrelated to vital records data, it may be beyond the purview of the Committee to concern ourselves with that. Clarification was made on Page 12, 6 (b), to address the use of death data to eliminate deceased infants.

**VSAC Vote:** The Committee members all voted aye. There were no oppositions. Motion carried. The Committee has voted to recommend that the State Registrar approve the use of the data as described in the protocol.

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The sixth project reviewed by the Committee was:

**Project Title:** "Early Socio-Moral Development through Interactions with Others"

**Principal Investigator(s):** Audun Dahl, PhD, University of California, Santa Cruz

**Project Type:** New Project

**CPHS Approval:** Pending

**Project No.:** 14-08-1673

**Expiration:** Pending

**File(s) Requested:** 2013-2018 Birth Statistical Master File (select variables)

**Requested Identifiers:** BSMF (Name and Address)

**Personal Contact:** Yes

**Identifiers Released:** No

**History:** New Data Request

**VSAC Motions:** Jonathan Teague motioned to recommend approval of the data release contingent upon acquiring timely death data to screen the population of infant and families and to modify their CPHS protocol to include the use of the death data for that purpose. Sun Lee seconded the motion.

**VSAC Discussion:** As it was unclear as to what they were requesting, clarification was made that they would be receiving AVSS data on a real time basis. The fields would be the same as what they would receive on the BSMF. When they are asking for RAPID cycle, they are asking for a preliminary version of the BSMF that is pulled from AVSS but is created the same way as the BSMF in terms of the field. The Committee noted that they were not asking for any death data. Terri asked if the Committee would like to recommend approval based on a stipulation that they request the death data for purposes of contacting possible grieving parents. The Science Advisor stated that they might want to amend their protocol so that it is clearly defined

piece in the protocol and that the State would have a record that they said they would do that.

**VSAC Vote:** The Committee members all voted aye. There were no oppositions. Motion carried. The Committee has voted to recommend that the State Registrar approve the use of the data as described in the protocol contingent upon acquiring timely death data to screen the population of infant and families and to modify their CPHS protocol to include the use of the death data for that purpose.

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The seventh project reviewed by the Committee was:

**Project Title:** "Reducing Teen Births among Latinas: A Pilot RCT to Test the Effectiveness of Radio Messages"

**Principal Investigator(s):** Donald Green, PhD, Columbia University

**Project Type:** New Project

**CPHS Approval:** Approved

**Project No.:** 14-02-1523

**Expiration:** July 15, 2015

**File(s) Requested:** 2008-2012 Birth Statistical Master File (select variables)

**Requested Identifiers:** BSMF (Address)

**Personal Contact:** No

**Identifiers Released:** No

**History:** New Data Request

**VSAC Motions:** Jonathan Teague motioned to recommend approval of the data release. Erlinda Valdez seconded the motion.

**VSAC Discussion:** No Discussion

**VSAC Vote:** The Committee members all voted aye. There were no oppositions. Motion carried. The Committee has voted to recommend that the State Registrar approve the use of the data as described in the protocol.

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The eighth project reviewed by the Committee was:

**Project Title:** “Maternal and Infant Health Assessment (MIHA) – Center for Disease Control and Prevention (CDC)”

**Principal Investigator(s):** Mike Curtis, PhD, CDPH/Epidemiology Assessment & Program Development Branch

**Project Type:** New Project

**CPHS Approval:**

**Project No.:**

**Expiration:**

**File(s) Requested:** 2011 Birth Statistical Master File (select variables), requesting to re-release request to CDS for surveillance purposes

**Requested Identifiers:** BSMF (NOPI)

**Personal Contact:** No

**Identifiers Released:** No

**History:** New Data Request

**VSAC Motions:** Jonathan Teague motioned to recommend to the State Registrar that we get advice on the legal standard we should be applying the review of the request. Staff will follow up on the Committee’s request for additional information. Sun Lee seconded the motion.

**VSAC Discussion:** The Committee and the Science Advisor had concerns that this was a re-release of data. The protocol did not have a lot of information on exactly what they plan on doing and what they were going to re-release. They were going to take individual level BSMF data, de-identified in some way. There was no information on how they were going to link and merge the data. Statute is mildly ambiguously on this. Statute gives the State Registrar the authority at his/her discretion to release data to another governmental entity or agency for the purpose for official government purposes. Another statute says researchers who are using the data regardless of where they are housed, cannot re-release the data to other people.

For official government purposes, surveillance has not been considered official government purpose. Official government purposes are things such as wanting to strike dead people from the voter records or wanting to discontinue child support payments for someone who had died.

The Science Advisor said she would like more information on exactly how they are going to do their link or merge and what it is that they are going to re-release.

Sun Lee had the same question about linking and was wondering if CPHS had more information. Has the project gone for CPHS approval? The Committee wanted to know if CPHS approval would be required for their data release to CDC. The Science Advisor said she believed that CPHS approval would be required but it depends on what statute was being evoked. She needed to know what they were doing before she could offer an opinion. If they are evoking the statute that this is official government business and only be used for official government purposes, the State Registrar does not necessarily need to ask them to go to CPHS for approval. If this is however, surveillance and or a research project, and are going to do something with the data such as public reports, that would fall under a different statute, and would need CPHS approval.

From a Science Advisor's prospective, she would need more information, to provide the Committee with an opinion. She said that one of the suggestions that the Committee could do is ask the State Registrar to ask our legal office to take a look at this and provide an opinion to the Committee on which statute should be evoked in terms of how the Committee wanted to review this. This would solve the gray area problem and you would know for sure that this would fall within the purview of the Committee or whether it is something the Committee will needs to review under the non-release statute.

The Committee commented that the data flow like this has happened before, CDC, Healthy Families, and MIHA, is there any documentation or authorization on this? The Science Advisor stated she did not recall that we have ever been asked to provide individual level birth data to them to re-release to CDC.

Another consideration for the Committee is get whatever information you feel may help you better understand what they are doing, in addition to that, add the State Registrar's legal opinion. The approval would be made at the next meeting.

Laura asked Sun if she had any specific questions as staff was going to go back to the program and ask for additional information. Sun wanted to know the linking process and how they are going to do it,

and what type of data they are going to be linking to that since they are asking for individual records.

Questions from the Science Advisor's included: the end product of the data set and what they plan to send out and what fields they were going to have.

Jonathan made the motion that the State Registrar would provide the Committee with the advice regarding the legal standard to apply when considering this protocol. The Committee wanted to know if we need to add a section that additional information is needed.

The Committee was told that usually staff will follow up with additional request for information outside the motion although you can include it in the motion. The motion was not changed to include the additional information.

Sun Lee seconded the motion.

**VSAC Vote:** The Committee members all voted aye. There were no oppositions. Motion carried. The Committee has voted to recommend the State Registrar vote the Vital Statistics Committee advice on the legal standard to apply when considering this protocol from CDPH/Epidemiology Assessment & Program Development Branch.

**F. ITEMS FOR DISCUSSION:** Terri asked the Committee to refer to Attachment 3, Recap of Data Requests Approved in the Vital Statistics Unit.

**G and H. Public Comments and AGENDA ITEMS:**

**I. MEETING ADJOURNMENT:** Erlinda Valdez made a motion to adjourn the meeting. The meeting was adjourned at 9:55 A.M.