**Section 1005.40 Data Protection Review Board (DPRB)**

a) The Director shall appoint a Data Protection Review Board which shall be an advisory board used by the Department to review requests for deniable aggregated data, health facility data and deniable data elements and to offer to the Department any comments and/or recommendations relative to the requests.

b) The DPRB shall consist of 13 members to be appointed by the Director for terms of three years, except that the initial appointments to the DPRB shall be made for the terms as follows:

1) five members shall be appointed for a term of two years;

2) four members shall be appointed for a term of three years; and

3) four members shall be appointed for a term of four years.

c) In making appointments to the DPRB, the Director shall consider recommendations submitted by statewide constituencies.

d) Members shall serve without remuneration.

e) The DPRB shall be associated with the following groups:

1) State government (1 member);

2) commercial insurers (1 member);

3) hospital providers (2 members);

4) local health planning agencies (1 member);

5) professional review organizations (1 member);

6) business, industry and labor (1 member);

7) medical societies (2 members);

8) Long-term Care provider (1 member);

9) Ambulatory Surgical Treatment Center provider (1 member); and

10) health care academic researchers (2 members).

f) The DPRB will have ninety (90) days to prepare its comments and respond to the Department's request for advice concerning data requests. The Director, prior to rendering a final determination, shall give consideration to the comments of the DPRB.