**Section 1010.70 Data Customer Categories and Data Product Fee Schedule**

This Section establishes customer categories, data product descriptions, and data product fees. The release of any patient level or small number data by the Department shall be contingent on the approval of the request and execution of an appropriate data use agreement.

a) Customer categories are established as follows:

1) Category I: Resellers

A) Any corporation, association, coalition, person, entity or individual that redistributes in any form any of the data or products (or any subset of the data or products) obtained from the Department for any revenue is engaged in reselling of the data or products and shall pay for the data or products at the reseller rate.

B) All redistribution shall be restricted to de-identified data as defined by HIPAA privacy regulations.

2) Category II: Commercial, Private, For-Profit Organizations and Non-Illinois State and Local Government Entities

A) Any corporation, association, coalition, person, entity or individual that functions in whole or in part for the benefit of the owners, members, or sponsors of the corporation or organization seeking to obtain data or products (or any subset thereof) from the Department is presumed to be acquiring the data or products for a commercial use;

B) Any non-profit organization that purchases data materials on behalf of, either in whole or in part, or receives payment from, for-profit organizations for work done is presumed to be acquiring the data or products for a commercial use;

C) Non-Illinois state and local government data release will be contingent on reciprocal data availability; and

D) The Department will waive established data fees to non-Illinois government entities when entering into data sharing agreements for exchange of data of similar content. Discharge data received from non-Illinois data sources will be accepted in lieu of the fees shown in Appendix I. This waiver of fees will be contingent upon the non-Illinois entity waiving any fees charged, with acceptance of Illinois data in lieu of payment.

3) Category III: Federal government, educational institutions, all non-profit organizations, and college students enrolled in non-Illinois educational institutions, including:

A) The federal government;

B) Other non-state or local political subdivisions outside of the State of Illinois that are not covered under Category II; and

C) All educational institutions (Illinois and non-Illinois), all non-profit organizations, and all college students enrolled in non-Illinois educational institutions.

4) Category IV: Illinois General Assembly, Executive Office of the Governor, State of Illinois Constitutional Officers, Agencies of Illinois State Government, Illinois county and local government, and college students enrolled in Illinois educational institutions.

b) The following data products are available at rates established by the Department:

1) Standard datasets are defined sets of data elements consisting of the minimum necessary group of elements for a specific request identified from the list of elements available to each category of requester.

A) Research Oriented Dataset (RODS) containing data elements listed in Appendix D of this Part.

B) Universal Dataset (UDS) containing data elements listed in Appendix E of this Part.

C) State Inpatient Dataset (SIDS) containing elements derived for the purposes of the HCUP, Appendix F of this Part.

D) State Ambulatory Surgery Dataset (SASDS) containing elements derived for the purposes of the HCUP, Appendix G of this Part.

E) Revenue Code Dataset (RCDS), a supplement to datasets A through D containing data elements listed in Appendix H of this Part.

2) The Department will evaluate requests for custom datasets and make the determination of complex or simple based on details of the request.

A) Complex dataset: a subset of RODS, UDS, SIDS or SASDS (with or without RCDS) that contains the majority of significant data elements, or an intricate aggregation or report that includes many significant data elements and compound relationships.

B) Simple dataset: a subset of RODS, UDS, SIDS or SASDS (without RCDS) that contains a small number of significant data elements, or a straightforward aggregation or report that includes few significant data elements and no, or a single, relationship.

c) Standard data product fees by category are set forth in Appendix I of this Part. In addition to standard data product fees, the Department will assess data request processing and data product preparation fees as follows:

1) The Department will assess a non-refundable data request application fee of $100. The application fee shall be applied to the final cost of approved and completed data products.

2) The Department will assess fees for the costs of preparing requested data products, including, but not limited to, programming, research, administrative, media and shipping as described in Appendix J of this Part. The minimum charge will be one unit per resource factor, with additional units as necessary for more complicated requests.

(Source: Amended at 36 Ill. Reg. 8017, effective May 8, 2012)