

**NEW YORK STATE DEPARTMENT OF HEALTH**  
**Center for Community Health**  
**Division of Nutrition - Bureau of Supplemental Food Programs**  
**NYS Special Supplemental Nutrition Program for Women, Infants and Children (WIC)**

## **DATA EXCHANGE APPLICATION AND AGREEMENT (DEAA)**

This DEAA is to be completed by all individual contractor and sub-contractor staff who will have access to WIC data as outlined within this DEAA.

By my signature below, I hereby agree to the following:

1. I have been identified as an individual who will use or have access to WIC data. WIC data includes, but is not limited to, any WIC participant data collected and stored within the NYS WIC Statewide Information System (WICSIS) or the NYWIC Management Information System (MIS).
2. I understand that the WIC data I may receive is confidential, and any disclosure of such information may be a violation of state and federal laws, including but not limited to the following: the New York State Personal Privacy Protection Act, the Privacy Act of 1974, Title 18 of the United States Code (USC) §1905, and Title 7 USC §246. I will not attempt to identify any specific individual whose WIC data has been received, except in those cases where the WIC data is supplied for legally-authorized surveillance of providers or utilization review, or where specific written authorization has been given.
3. I agree to the following restrictions on use of any WIC data to which I am granted access:
  - a. Access to the WIC data is granted only to those contractors and sub-contractors who have a signed "Data Exchange Application and Agreement" on file with the New York State Department of Health;
  - b. The WIC data must be used only for the purposes stated in contract **C000000, Contract Description**;
  - c. After I receive access, the WIC data will be kept in a secure environment. No WIC data will be released or disclosed to any person or entity, or published in any manner whatsoever, without prior written approval of the Division of Nutrition NYWIC Project Director. The term publication includes, but is not limited to, written abstracts, articles and papers; presentations at conferences, board meetings, advisory committee meetings, task forces, or collaborative groups; minutes of meetings, charts, graphs, data sheets, or slides; and posting of information on a website, or social media such as Facebook, Twitter, or email;
  - d. The WIC data may not be matched or linked to any other data set unless the contractor or sub-contractor has received written approval to access such information from the New York State Department of Health and the owner of such other data set.;
  - e. The contractor and sub-contractors must destroy or return all WIC data when the contractual agreement expires. A written request to extend this time-period may be submitted to the Division of Nutrition NYWIC Project Director;
  - f. The Department may perform an on-site audit of the use and security of any WIC data received by the contractor and sub-contractors. The contractor and sub-contractors will cooperate as requested in the event of such an audit.

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4. I understand that violations of these and any other disclosures are punishable by monetary fines, and that the Department of Health will prosecute violations to the fullest extent of applicable laws.

ENDORSEMENTS

**Individual Contractor and Sub-Contractor Staff:**

Organization Name: \_\_\_\_\_ Contract Number: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Department of Health Endorsement:**

Printed Name: Angella Timothy Title: Associate Director  
Center for Community Health

Signature: \_\_\_\_\_ Date: \_\_\_\_\_