

"Preventing HIV Risk Behaviors among Hispanic Adolescents"

## **Attachment 7: Certificate of Confidentiality**



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Centers for Disease Control  
and Prevention (CDC)  
Atlanta GA 30333

*September 30, 2008*

Guillermo Prado, PhD  
Principal Investigator  
University of Miami Miller School of Medicine  
1425 N.W. 10<sup>th</sup> Avenue 3<sup>rd</sup> Floor  
Miami, FL 33136

Dear Dr. Prado:

I am happy to send you the certificate of confidentiality for the "Preventing HIV Risk Behaviors among Hispanic Adolescents."

Please be sure that the informational statement given to participants accurately states the intended uses of personally-identifiable information and the confidentiality protections, including the protection provided by the certificate of confidentiality, with its limitations and exceptions.

May I ask that you advise me of any situation in which the certificate is employed to resist disclosure of information in legal proceedings. I am at the Centers for Disease Control and Prevention, (CDC), Mailstop D-74, Atlanta, Georgia 30333. My telephone number is (404) 639-4791, fax (404) 639-3060. Internet: [ccoble@cdc.gov](mailto:ccoble@cdc.gov).

If attorneys for the University of Miami Miller School of Medicine wish to discuss the use of the certificate, they may contact the Deputy Associate General Counsel to CDC, Ms. Paula L. Kocher, at (404) 639-7200.

If you have any questions, or if we can otherwise help, please call.

Sincerely yours,

*Cheryl Coble*

Cheryl Coble, MMSc  
CDC Confidentiality Advisor  
Office of the Chief Science Officer

cc: Certificate of Confidentiality



CONFIDENTIALITY CERTIFICATE

Issued to

Employees of

University of Miami Miller School of Medicine  
and Other Participants

conducting research known as

PREVENTING HIV RISK BEHAVIORS AMONG HISPANIC ADOLESCENTS

Grant No. 1U01PS000671-01

The "Preventing HIV Risk Behaviors Among Hispanic Adolescents" study was developed to evaluate the efficacy of a one-and-a-half-month streamlined version of an efficacious HIV preventive intervention, Familias Unidas, relative to a standard community practice control condition, in preventing drug use and unprotected sexual behavior among Hispanic youth. Familias Unidas aims to prevent these HIV risk factors by (a) increasing family functioning, (b) increasing parental monitoring of peer activities, and (c) influencing adolescent social cognitive mechanisms regarding drug use and unsafe sexual behavior.

In accordance with the provisions of Section 301(d) of the Public Health Service Act (42 U.S.C. § 241(d)) this certificate is issued to protect the privacy of research subjects by withholding their identities from all persons not connected with the research.

Under authority vested in the Secretary of Health and Human Services under that section, all persons who

- (1) are employed by the University of Miami Miller School of Medicine, and their contractors and cooperating agencies; and
- (2) have, in the course of that employment, access to the information which would identify individuals who are the subjects of a research project entitled "Preventing HIV Risk Behaviors Among Hispanic Adolescents" are hereby authorized to protect the privacy of the individuals who are the subjects of that research by withholding their names and other identifying characteristics from all persons not connected with the conduct of that research, with the exceptions and limitations set forth below.

As provided in Section 301(d) of the Public Health Service Act (42 U.S.C. § 241(d)),

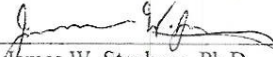
“Persons so authorized to protect the privacy of such individuals may not be compelled in any Federal, State, or local civil, criminal, administrative, legislative, or other proceedings to identify such individuals.”

The following conditions apply to the protection provided under this certificate:

- (1) This certificate does not authorize the University of Miami Miller School of Medicine, or their contractors or cooperating agencies to refuse to reveal identifying information concerning research subjects if any of the following conditions exist:
  - (a) The subject (or, if he or she is legally incompetent, his or her guardian) consents in writing to disclosure of identifying information.
  - (b) Authorized personnel of the United States Department of Health and Human Services request such information for audit or program evaluation of the research project, or for investigation of the University of Miami Miller School of Medicine, or their contractors or cooperating agencies in carrying out the research project.
  - (c) Release is required by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. §§ 301 et seq.) or regulations promulgated thereunder (Title 21, Code of Federal Regulations).
- (2) This certificate requires that there be no disclosures of identifying characteristics of research subjects in any Federal, State, or local civil, criminal, administrative, legislative, or other proceedings to compel disclosure of the identifying characteristics of research subjects, except as provided for in paragraph (1) above.
- (3) The confidentiality certificate does not govern the voluntary disclosure of identifying characteristics of research subjects.
- (4) This certificate does not represent an endorsement of the research project by the Department of Health and Human Services.
- (5) All research subjects in the project will be given a fair, clear explanation of the protection this certificate affords, and of the limitations and exceptions to the protection.

- (6) This certificate is effective upon issuance and will expire at the end of September 2013, or sooner if the holder is notified of cancellation in accordance with the procedures set out in 42 C.F.R. § 2a.8. The protection afforded by this certificate of confidentiality is permanent (including after death) for persons who participated as subjects in the research during any time the certificate was in effect.

Date: Sept 30, 2008

  
James W. Stephens, Ph.D.  
Associate Director for Science, CDC