



August 1, 2008

Dear Provider:

This letter provides guidance regarding your participation in the Medical Monitoring Project (MMP) and the impact of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule on the disclosure of personally identifiable health information to a public health authority.

The Privacy Rule defines a public health authority as “an agency or authority of the United States, a State, ...or a person or entity acting under a grant of authority from or contract with such public agency, including the employees or agents of such public agency or its contractors or persons or entities to whom it has granted authority, that is responsible for public health matters as part of its official mandate”[45 CFR §164.501]. Your state or local health department is an agency of the U.S. Centers for Disease Control and Prevention (CDC) and is conducting MMP in its capacity as a public health authority as defined by HIPAA. Pursuant to 45 CFR §164.512(b) of the Privacy Rule, covered entities such as your organization may disclose, without individual authorization, protected health information to public health authorities “...authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, including, but not limited to, the reporting of disease, injury, vital events such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions...”

Your state or local health department is conducting MMP, a public health activity as described by 45 CFR §164.512(b), and is authorized by 42 USC §241(a). The information being requested represents the minimum necessary to carry out the public health purpose of this project pursuant to 45 CFR §164.514(d) of the Privacy Rule.

The Office for Civil Rights (OCR) is the agency in charge of implementation and enforcement of the Privacy Rule. More information on HIPAA is available on the OCR website at <http://www.hhs.gov/ocr/hipaa/>. CDC/HHS guidance on the Privacy Rule and Public Health is available on the CDC web site at <http://www.cdc.gov/mmwr/preview/mmwrhtml/su5201a1.htm>.

If you have questions or concerns, please contact me at gyh6@cdc.gov or 404-639-4613.

Sincerely,

A handwritten signature in blue ink that reads "Gail Horlick".

Gail Horlick, MSW, JD
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