



February 28, 2019

Dear Colleague:

One of the traditional missions of public health is disease surveillance – tracking diseases and health conditions in the general population. By learning which diseases are out there, where they are, and who has them, the Georgia Department of Public Health (DPH) can create policies and programs to improve the health of Georgia citizens. From time to time, public health may need health information on specific individuals to fight an outbreak of communicable disease and to link affected persons with testing and treatment.

DPH sometimes receives questions from physicians and other health care providers who are concerned that privacy regulations prevent them from reporting patient information to the Department.

The Department has the legal authority to request your clients' personal health information. Under Georgia law, the Department is authorized to gather information, including personal health information, to protect the health and safety of Georgia citizens.<sup>1</sup>

The Health Insurance Portability and Accountability Act (HIPAA) also allows you to share your clients' personal health information with the Department, a public health authority. HIPAA regulations specifically allow health care providers to disclose health information to public health authorities for the purpose of preventing or controlling disease, and to avert a serious threat to the health or safety of a person or the public.<sup>2</sup> HIPAA regulations also provide that client consent is not required before sharing personal health information with the Department.<sup>3</sup>

If the Department should need to share your clients' personal health information with others, it will be done in strict accordance with HIPAA. The Department has a HIPAA Privacy Officer and an in-house Institutional Review Board to ensure that personal health information in our possession is shared only with persons authorized under HIPAA to receive it, and only in a form that is allowed under HIPAA. In most cases, health data are de-identified in accordance with HIPAA standards to make sure it cannot be traced back to a specific individual.

If you have any questions or concerns about sharing personal health information with the Georgia Department of Public Health, please call 404-657-2700 and ask to speak to the General Counsel or to the Privacy Officer.

Very truly yours,

J. Patrick O'Neal, M.D.  
Commissioner

<sup>1</sup> O.C.G.A. §§ 31-2A-4, 31-12-1, 31-12-2, and 31-22-7.

<sup>2</sup> 45 C.F.R. § 164.512(b) and (j).

<sup>3</sup> *Id.*