



**North Dakota Department of Health
HIPAA Policy**

Policy Title:	Uses and Disclosures for Public Health Activities	
Policy Number:	P-021	Version: 1.1 Updated May 20, 2003
Reference:	45 CFR 164.512(b)	
Applicability:	Department of Health	
Approved By:	Dr. Terry Dwelle, State Health Officer Arvy Smith, Deputy State Health Officer Darleen Bartz, HIPAA Coordinator, Privacy Officer	
Effective Date:	April 14, 2003	

Policy:

The NDDoH may use and disclose protected health information (PHI) for public health activities and purposes without the written authorization of the individual for the purposes identified in the following procedure.

Exceptions:

None

Procedure:

- The NDDoH may disclose PHI for public health activities and purposes to:
 - A public health authority that is authorized by law to collect or receive information for the purpose of preventing or controlling disease, injury or disability including:
 - Reporting of disease, injury, vital events
 - Public health surveillance, investigations, interventions
 - A public health authority or other appropriate government authority authorized by law to receive reports of child abuse or neglect
 - A person subject to the jurisdiction of the FDA with respect to an FDA regulated product or activity for which that person has responsibility, for the purposes related to quality, safety or effectiveness including to:
 - Collect or report adverse events, product defects or problems or biological product deviations
 - Track FDA regulated products
 - Enable product recalls, repairs, replacement or look back
 - Conduct post marketing surveillance
 - A person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition if the NDDoH is authorized by law to notify such a person

- Since the NDDoH also is a public health authority, the NDDoH is permitted to use PHI in all cases in which it is permitted to disclose any such information for public health activities as listed above.

Related Forms:

Public Health Activities Dear Provider Letter

Definitions:

NDDoH – North Dakota Department of Health

Protected Health Information – Individually identifiable health information that is transmitted or maintained by electronic media or transmitted or maintained in any other form or medium

Individually Identifiable Health Information – Health information which includes demographic information that relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual and that identifies the individual or there is a reasonable basis to believe the information can be used to identify the individual

Electronic Media – Electronic storage media including memory devices in computers and any removable/transportable digital memory medium such as magnetic tape or skid, optical disk or digital memory card; or transmission media used to exchange information already in electronic storage media. Transmission media includes the internet, extranet, leased lines, dial-up lines, private networks and the physical movement of removable/transportable electronic storage media

Public Health Authority –An agency or authority of the United States, a State, a territory, a political subdivision of a State or territory, or an Indian tribe, 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