NORTH DAKOTA
DEPARTMENT of HEALTH

DIVISION OF DISEASE CONTROL
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MEMO

TO: Prevention Partnership Providers
Local Public Health Units

FROM: Molly Howell, MPH MH
Immunization Program Manager

RE: HIPAA and School Immunization Records Update

DATE: January 29, 2014

The North Dakota Department of Health (NDDoH) recently made a change to the Administrative Rules (33-06-05-01) relating to the sharing of immunization records with schools. The change allows providers to continue to share immunization records with schools without parental consent. The change also allows schools to continue to have access to the North Dakota Immunization Information System (NDIIS).

On January 25, 2013, rules relating to the **Health Insurance Portability and Accountability Act of 1996 (HIPAA)** under the **Health Information Technology for Economic and Clinical Health (HITECH) Act** were published in the Federal Register. Under the new rules, covered entities (health care providers, local public health units and the NDDoH) are required to obtain oral agreement from a parent to disclose student immunization records to schools, unless such disclosure is required by law. The change made to North Dakota Administrative Rules (33-06-05-01) requires disclosure of immunization records to schools, so parental oral consent is not needed in North Dakota for providers to share immunization records with schools. The change in Administrative Rules (33-06-05-01) is in compliance with the New HIPAA-HITECH rules.

Providers are encouraged to consult their HIPAA Privacy Officer for additional guidance or facility-specific policies regarding HIPAA.