

January 22, 2003

Dear Colleagues,

As we are all aware, Health Insurance Portability and Accountability Act of 1996 (HIPAA) was enacted which addressed the sharing of confidential medical information. This has raised questions among a number of physicians about HIPAA requirements and the reporting of confidential data related to communicable diseases and immunization to local health departments. The HIPAA legislation does address this question and states that reporting of Communicable Diseases to the local or state health department or immunizations to the Michigan Childhood Immunization Registry are exempt because they are mandated within the Michigan Public Health Code and are used for surveillance and prevention of communicable diseases. This is addressed in section **§164.512(b)** of the HIPAA regulations (see attached). The relevant sections of the Michigan Public Health Code and Administrative Rules are:

Sec. 333.5111 (1) b – Requirements for reporting communicable and serious communicable diseases

R 325.173 – Administrative rules detailing the reporting of communicable and serious communicable diseases

Sec. 33.9207 – Establishment of the Michigan Childhood Immunization Registry

R.325.163 – Administrative rules requiring the reporting of immunizations administered to children to the Department.

Physicians who are concerned about reporting communicable diseases and immunizations as required under the Michigan Public Health Code can be reassured that this is permitted under HIPAA and that they are not required to obtain patient written consent before sending this information to the local health department.

I am enclosing two documents which came from the DHHS and CDC web sites, which explain this section of the regulations. Please feel free to share this with any of your colleagues who may have concerns about sharing communicable disease and immunization information with the local health department.

Sincerely,

Gillian Stoltman, Ph.D., MPH  
Director, Division of Communicable Disease and Immunization

cc: Communicable Disease Staff – LHD  
IAP Coordinators  
MCIR regional Staff  
Dave Johnson  
Bill Hart  
Matt Boulton