

2.3.17 **Disclosure of Protected Health Information for Public Health Activities**

(a) Policy

California Correctional Health Care Services (CCHCS) shall disclose information to Public Health Authorities, without a patient's authorization, when required by law. CCHCS may disclose Protected Health Information PHI for public health activities, without the patient's authorization, when the reason for the disclosure is related to the purpose for which the PHI was collected and under the circumstances outlined below.

(b) Purpose

To define the parameters for releasing PHI for public health activities.

(c) Responsibility

(1) Statewide

(A) Under the direction of the Deputy Director, Medical Services, and Health Information Management Chief:

1. Institution Health Records staff within the scope of their authority are responsible for oversight, implementation, monitoring, and evaluation of this policy for patients.
2. Health and Imaging Record Center staff within the scope of their authority are responsible for oversight, implementation, monitoring, and evaluation of this policy for paroled or discharged persons.

(2) Regional

Health Care Executives are responsible for the administration of this policy at the subset of institutions within their assigned region.

(3) Institutional

The Chief Executive Officer, or designee, of each institution has the overall responsibility for implementation and ongoing oversight of this policy.

(d) Procedure

(1) CCHCS may disclose PHI to Public Health Authorities who are legally authorized to receive such reports to prevent or control disease, injury, or disability pursuant to the Health Care Department Operations Manual Section 3.8.1, Public Health Disease Reporting, or state law. This includes but is not limited to the following:

(A) The reporting of a disease or injury.

(B) Conducting public health surveillance, investigations, or interventions.

(2) PHI may be disclosed as needed to notify a person that they have been exposed to a communicable disease or are at risk of contracting or spreading a disease or condition, if CCHCS is legally authorized to do so to prevent or control the spread of the disease.

(3) Verification of identity

CCHCS shall verify Public Health Authorities' status and identity prior to releasing PHI.

(4) Minimum Necessary

CCHCS is responsible for reasonably limiting the PHI disclosed for public health purposes to the Minimum Necessary to accomplish the intended purpose.

(5) Accounting of Disclosures

CCHCS shall document, track, and maintain information concerning disclosures of PHI. This tracking shall document what, when, why, and to whom disclosures are made.

References

- Code of Federal Regulations, Title 45, Subtitle A, Subchapter C, Part 164, Subpart E, Section 164.502(b)
- Code of Federal Regulations, Title 45, Subtitle A, Subchapter C, Part 164, Subpart E, Section 164.512(b)
- Code of Federal Regulations, Title 45, Subtitle A, Subchapter C, Part 164, Subpart E, Section 164.514(h)
- Code of Federal Regulations, Title 45, Subtitle A, Subchapter C, Part 164, Subpart E, Section 164.530(i)(1)
- California Civil Code Section, Division 1, Part 2.6, Chapter 2, Section 56.10(c)
- California Civil Code, Division 3, Part 4, Title 1.8, Chapter 1, Article 6, Section 1798.24
- California Health and Safety Code, Division 109, Section 130203
- Health Care Department Operations Manual, Section 3.8.1, Public Health Disease Reporting
- Statewide Health Information Policy Manual, 5.1.1, Accounting of Disclosures

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CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES
Health Care Department Operations Manual

Revision History

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