

Statement of the Utah Department of Health

The following statement clarifies how HIPAA interacts with state reporting requirements. As explained below, HIPAA generally allows for the reporting of information to the state if required or permitted by state law.

If specific questions arise on reporting, you can consult your own professional organization or you can call the following numbers for further information:

Chronic disease (801) 538-6220.

Communicable disease (801) 538- 6191

Health data (801) 538-7072.

Immunization - (801) 538-6871.

Vital Records (801) 538-6186

Injury - (801) 538-6864

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Mandatory and permissive reporting to public health authorities will not be curtailed by the HIPAA privacy rule. The authorizing federal law states: "Nothing in this part shall be construed to invalidate or limit the authority, power, or procedures established under any law providing for the reporting of disease or injury, child abuse, birth, or death, public health surveillance, or public health investigation or intervention." (42 USCS 1320-d-7(b)).

The HIPAA privacy rule at §164.512 allows a covered entity to release protected health information without the authorization of the patient under limited circumstances. Reporting required by law or to a public health authority are examples of those circumstances.

Utah statute and administrative rule mandate many areas of reporting. Utah Code Ann. §26-6-6 and -7 require communicable disease reporting and give the Department the authority to designate which conditions are reportable. Utah Admin. Code R386-702 designates reportable conditions. Chronic disease, designated health data, immunizations, certain injuries, and vital records are other examples.

The Utah Department of Health recognizes the time and effort that are required to comply with mandated public health reporting. Thank you for your continued commitment to assist us to protect the public health.