



Jeb Bush  
Governor

John O. Agwunobi, M.D., M.B.A.  
Secretary

May 23, 2003

**To Whom It May Concern:**

With the recent implementation of the Health Insurance Portability and Accountability Act (HIPAA) regulation, there have been numerous inquiries regarding the disclosure of newborn screening information by covered entities. This letter provides clarification regarding HIPAA Privacy Rule and Public Health Activities for future reference and referrals. Additional information provided by Department of Health and Human Services and Centers for Disease Control and Prevention also is available at: <http://www.cdc.gov/mmwr/preview/mmwrhtml/su5201a1.htm>.

Children's Medical Services, a division of the Florida Department of Health, administers the Newborn Screening Program, which includes hearing and metabolic screening. Newborn screening is an activity described in its capacity as a public health authority as defined by the HIPAA, Standards for Privacy of Individually Identifiable Health Information, Final Rule (Privacy Rule). Pursuant to 45 CFR 164.512(b) of the Privacy Rule, covered entities such as your organization may disclose, without individual authorization, protected health information (PHI) to public health authorities. Public health entities are authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability including, but not limited to, the reporting of disease, injury, vital events such as birth or death, and for the purpose of conducting public health surveillance, public health investigations, and public health intervention.

Florida Statutes 383.14 and 383.145, mandate the screening of all newborns in Florida for both hearing and metabolic disorders. Please ensure that you continue to submit the required reports regarding hearing and metabolic screening including the child specific information for all newborns referred as a result of the mandated screenings.

An Early Hearing Detection and Intervention Tracking and Surveillance (EHDI-STS) data management system has been developed by the Florida Department of Health for hospitals and birthing facilities to facilitate follow-up tracking of infants identified during newborn hearing screening. All information, forms, and instructions regarding the system are available on the department's website at: <https://www.cms.medcs.ufl.edu/ehdi.htm>. A recruitment packet is available for your hospital's Universal Newborn Hearing Screening training needs and, if desired, a special training session at your hospital can be scheduled free-of-charge.

If you have questions or concerns about this reporting requirement, please contact Ms. Lois Taylor or Ms. Ann Filloon at (850) 245-4200.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Elizabeth Ford".

S. Elizabeth Ford, M.D.  
Deputy Secretary, Children's Medical Services

Sincerely,

A handwritten signature in black ink, appearing to read "John O. Agwunobi".

John O. Agwunobi, M.D., M.B.A.  
Secretary, Department of Health

JOA/SEF/af