

Free publications about HIPAA

Member entities, such as the American Medical Association, have compliance manuals for sale. In addition, government agencies, such as The Department of Health and Human Services (HHS), and the Health Resources and Services Administration (HRSA) have HIPAA publications and newsletters available at no charge.

Resource websites

The websites listed below contain information about all aspects of HIPAA. These sites were chosen because they provide information at no cost.

The Centers for Medicaid and Medicare Services

www.cms.hhs.gov/hipaa

Office of the Assistant Secretary for Planning and Evaluation

<http://aspe.os.dhhs.gov/admsimp/>

The Florida Medical Association

www.fmaonline.org

There are also many consulting companies that provide HIPAA compliance services to health care providers.

HIPAA Privacy Standards and Disease Reporting



Florida Department of Health

4052 Bald Cypress Way
Tallahassee, Florida 32399-1715
Phone (850) 245-4430
Fax (850) 922-4263

Florida Department of Health
Division of Disease Control

public health reporting is exempt from HIPAA.

What does HIPAA mean?

HIPAA is the acronym for the Health Information Portability and Accountability Act of 1996.

The Privacy Rule established national standards to protect a person's confidential information, and to give patients more access to their own medical records.

The Security Rule provided standards for protecting confidential information, both in hard copy and electronic formats. This rule also required the establishment of disaster recovery and business continuity plans.

The Transaction Code Set Rule provided national standards for transmitting electronic billing information from one provider to another.

Refer to resources on the back of this publication for additional information on HIPAA.

In addition, Section 381.0031(5), Florida Statutes states that, "The department may obtain and inspect copies of medical records, records of laboratory tests, and other medical-related information for reported cases of diseases of public health significance." Medical providers who allow the department to obtain this information cannot be held liable for the records disclosure.

Information on disease specific reporting may be obtained by calling the Bureau of HIV/AIDS at (850)245-4430; the Bureau of Epidemiology at (850)245-4401; the Bureau of Sexually Transmitted Diseases at (850)245-4303; or the Bureau of Tuberculosis, at (850)245-4350.

HIPAA and Public Health Initiatives

According to HIPAA §160.203, disease reporting, public health disease surveillance, and disease intervention activities are among those that are EXEMPT from federal preemption of state laws. Other examples include child abuse, and birth or death information.

Disease reporting

Section 381.0031(1,2), Florida Statutes states that, "Any practitioner, licensed in Florida to practice medicine, osteopathic medicine, chiropractic, naturopathy, or veterinary medicine, who diagnoses or suspects the existence of a disease of public health significance shall immediately report the fact to the Department of Health." Florida's county health departments serve as the primary contact for disease reporting.

Section 384.25(1), Florida Statutes provides additional information regarding the reporting of sexually transmitted diseases, including HIV/AIDS. Section 392.53(1, 2), Florida Statutes specifically addresses the reporting of tuberculosis cases.

A list of reportable diseases is available through the Department of Health website, at the following website: www.doh.state.fl.us/disease_ctrl/epi/topics/surv/lor.pdf.

Disease intervention

Some reportable diseases require that health department staff intervene in the potential spread of the disease. To do this, health department staff may need to contact the provider and/or the person diagnosed with the disease.

Health department staff interview persons diagnosed with a sexually transmitted disease in order to obtain the names of sexual partners and notify the partners of their possible exposure. Health department staff can notify someone that they have been exposed to an STD without telling them the name of the person originally diagnosed.

A diagnosis of active tuberculosis requires that health department staff obtain the names of household contacts, in order to test them for TB and start preventive treatment, if necessary.

Regional epidemiologists issue public health alerts, and take necessary action to temporarily close establishments, investigate foodborne and waterborne disease outbreaks, as well as zoonoses.

County health department and Bureau of Epidemiology staff investigate a variety of communicable diseases, including arboviruses, bacterial meningitis and others.

General rule and exceptions §160.203 (c) PUBLIC HEALTH.—"The provision of State law, including State procedures established under such law, as applicable, provides for the reporting of disease or injury, child abuse, birth, or death, or for the conduct of public health surveillance, investigation, or intervention."