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San Patricio County's Position Statement on HIPAA Compliance

San Patricio County's Public Health Department is aware that our citizens want more details about the individuals who have tested positive for COVID-19. Further we recognize and are committed to protecting the health and safety of the public as well as the individuals who have tested positive for COVID-19.

The Health Insurance Portability and Accountability Act (HIPAA) dictates what **protected health information (PHI)** the County releases to the public. We all recognize that historically PHI is not disclosed without an individual's consent. **HIPAA Privacy Rule balances an individual's right to privacy with the County's responsibility to protect the health and safety of the public during this COVID-19 pandemic.**

Under the HIPAA Privacy Rule, **COVID-19 patients:**

- Justifiably have more control over their health information
- Are informed about how their information may be used
- Are assured that boundaries will be set on the use and release of their protected health information

Under the HIPAA Privacy Rule, the **County is obligated to:**

- Follow the appropriate safeguards to protect the PHI of an individual with COVID-19
- Disclose PHI to law enforcement, paramedics, other first responders, and public health authorities
- Solely release that information that is minimally (or least) required to protect the public's health

The goal behind releasing the COVID-19 case count is to communicate to the public that there is a real and existing public health threat in San Patricio County. We firmly believe that we achieve that goal by consistently providing a county-wide COVID-19 case count without the need to disclose the city, zip code, or neighborhood. With this information the public should understand that the COVID-19 virus is in our County and; because we have COVID-19 cases in our County, each of us must make good decisions to protect our health and provide for the public's safety.

The standard that the County is held to is to solely release that information that is minimally required to protect the public's health; otherwise, the HIPAA Privacy Rule allows for civil and criminal penalties if we violate a COVID-19 patient's privacy rights.

Please continue to follow our Stay Home, Work Safe measures, comply with the CDC's social distancing requirements, and continue to keep county COVID-19 case count informed.

Information about HIPAA Privacy and COVID-19 is available at: <https://www.hhs.gov/sites/default/files/february-2020-hipaa-and-novel-coronavirus.pdf>.

STAY HOME, STAY SAFE, TO SAFE LIVES