



Office of the Director

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JANET NAPOLITANO, GOVERNOR
SUSAN GERARD, DIRECTOR

May 24, 2005

TO WHOM IT MAY CONCERN:

Dear Health Care Provider:

The Arizona Department of Health Services certifies that it is a public health authority and health oversight agency as mandated by the State of Arizona. As such, **FEDERAL LAW, INCLUDING THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA), DOES NOT RELIEVE ANY INDIVIDUAL OR ENTITY FROM A CONTINUING DUTY TO REPORT OR DISCLOSE PUBLIC HEALTH INFORMATION AS REQUIRED BY ARIZONA LAW.**

For its public health and health oversight activities, the Arizona Department of Health Services collects and receives protected health information and related records as required or permitted by law. * The protected health information and related records collected and received by the Arizona Department of Health Services include, but are not limited to:

1. Reports of disease, injury, and vital events, such as birth or death;
2. Information and records related to, public health surveillance, disease prevention and control, public health investigations, or public health interventions; and
3. Information and records related to public health oversight, such as:
 - a. Audits;
 - b. Civil, administrative, or criminal investigations;
 - c. Inspections;
 - d. Licensure or disciplinary actions;
 - e. Civil, administrative, or criminal proceedings or actions; or
 - f. Other activities necessary for oversight of the state's health care system.

The Health Insurance Portability and Accountability Act (HIPAA) permits disclosure of protected health information and related records to a public health authority for public health and health oversight activities (45 CFR 164.512(b)(1)(i); 45 CFR 164.512(d)). In

* Arizona Revised Statutes §§ 36-104, 36-132, 36-136, and other related statutes

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addition, HIPAA permits disclosure of protected health information as required by law (45 CFR 164.512(a)). These disclosures are permitted without authorization by the individual who is the subject of the protected health information (45 CFR 164.512). ¹The information being requested represents that amount of information minimally necessary to carry out the public health purposes, which are the basis for the request (45 CFR 164.514 (d)).

This certification incorporates by reference the enclosure(s) identifying the Arizona Department of Health Services/Public Health Services Division programs that collect and receive protected health information and related records. The Arizona Department of Health Services certifies that the Public Health Services Division programs identified in the enclosure(s) collect, receive, use and disclose protected health information and related records solely for the purposes allowed under HIPAA.

Any questions pertaining to this Certification or accompanying enclosures may be directed to:

Mary Beth Joubanc, JD
HIPAA Project Manager/Privacy Officer
Arizona Department of Health Services
1740 West Adams Street, Room 101
Phoenix, Arizona 85007-2670
(602) 364-1560

Thank you for your cooperation and assistance.

Sincerely,

Susan Gerard
Director

SG:sa

Enclosures(s)

¹ Catherine R. Eden, Arizona Department of Health Service's Director, originally signed this letter on April 17, 2003, however due to a change in the Directorship this letter is dated May 24, 2005, and signed by Susan Gerard, the current Department of Health Service's Director. The content of this letter has not changed.