



Department of Defense INSTRUCTION

NUMBER 6025.18
December 2, 2009

USD(P&R)

SUBJECT: Privacy of Individually Identifiable Health Information in DoD Health Care Programs

References: See Enclosure

1. PURPOSE. This Instruction:

a. Reissues DoD Directive (DoDD) 6025.18 (Reference (a)) as a DoD Instruction in accordance with the authority in DoD Directive 5124.02 (Reference (b)).

b. Establishes policy and assigns responsibilities for implementation of the standards for privacy of individually identifiable health information in accordance with parts 160 and 164 of title 45, Code of Federal Regulations (Reference (c)).

2. APPLICABILITY. This Instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components").

3. DEFINITIONS. For the purposes of this Instruction, "health care entities" are defined as DoD health plans (e.g., TRICARE), health care providers (e.g., medical treatment facilities), and other covered entities that are subject to the authority in Reference (c).

4. POLICY. It is DoD policy that:

a. Health care entities shall comply with their obligations under this Instruction while continuing to maintain compliance with section 552a of title 5, United States Code; DoDD 5400.11; and DoD 5400.11-R (References (d), (e), and (f)).

b. Health care entities shall, as authorized by and consistent with the procedures of Reference (c), ensure the availability to appropriate command authorities of health information concerning military personnel necessary to ensure the proper execution of the military mission.

5. RESPONSIBILITIES

a. The Assistant Secretary of Defense for Health Affairs, under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, shall:

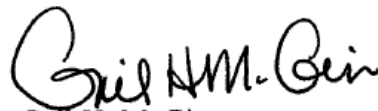
(1) Exercise oversight to ensure compliance with this Instruction and DoD 6025.18-R (Reference (g)).

(2) Develop and update supporting guidance for implementation of this Instruction as necessary.

b. The Heads of the DoD Components shall comply with this Instruction and Reference (g).

6. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

7. EFFECTIVE DATE. This Instruction is effective immediately.



Gail H. McGinn
Deputy Under Secretary of Defense (Plans)
Performing the Duties of the
Under Secretary of Defense for
Personnel and Readiness

Enclosure:
References

ENCLOSURE

REFERENCES

- (a) DoD Directive 6025.18, "Privacy of Individually Identifiable Health Information in DoD Health Care Programs," December 19, 2002 (hereby canceled)
- (b) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (c) Parts 160 and 164 of title 45, Code of Federal Regulations
- (d) Section 552a of title 5, United States Code
- (e) DoD Directive 5400.11, "DoD Privacy Program," May 8, 2007
- (f) DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007
- (g) DoD 6025.18-R, "DoD Health Information Privacy Regulation," January 24, 2003