AT A GLANCE – May I disclose protected health information for public health emergency preparedness purposes?

(From the perspective of the source of the information)

**Disclosure to a Public Health Authority**

- **Am I a covered entity?**
  - YES: The Privacy Rule does not apply to non-HIPAA covered entities
  - NO: The disclosure can be made without regard to the Privacy Rule

- **Is the intended recipient a public health authority (PHA)?**
  - YES: Is the PHA authorized by law to collect or receive information for the purpose of preventing or controlling:
    - disease,
    - injury, or
    - disability
    including, for purposes of emergency preparedness?
    - YES: NO
    - NO: NO

**Disclosure to a non-Public Health Authority**

- **Is the intended recipient an entity that seeks information for public health purposes?**
  - YES: Is the intended recipient a health care provider that uses or discloses information for treatment purposes?
    - YES: The disclosure may NOT be made unless there is a signed authorization
    - NO: NO
  - NO: NO

**Disclosure of a Limited Data Set**

- **Are you disclosing only a limited data set (LDS)?**
  - YES: You may make a disclosure subject to minimum necessary
    - YES: §164.502(b), §164.514(d)
    - NO: The disclosure can be made
  - NO: NO

**Disclosure with individual authorization**

- **Obtain individual authorization, unless the disclosure is otherwise permitted by another provision of the Privacy Rule §164.508**
  - NO: The disclosure can be made