

Dear IHS Area Office and HQ Colleagues,

We're reaching out to clarify a patient data disclosure policy that can improve case management for your patients and encourage treatment collaboration with key partners. The main takeaway is that the disclosure of certain patient data is allowable under the [Treatment, Payment, and Operations](#) rule.

As defined by the Privacy Rule at 45 CFR 164.501, "treatment" generally means:

- The provision, coordination, or management of health care and related services among health care providers or by a health care provider with a third party;
- Consultation between health care providers regarding a patient; or
- The referral of a patient from one healthcare provider to another.

This policy, which was highly useful to IHS providers during COVID-19, can also be applied to our IHS *syphilis response* or other priority health conditions. Best of all, it allows the sharing of *minimum essential* personal health information (PHI) to link patients to care.

IHS clinical staff *can* share information with a partner health program (such as community health workers, CHRs, peer navigators, social service organizations, etc.). For example, the IHS Senior Official for Privacy, Heather McClane, says, "A provider can share minimum necessary patient demographics for successful follow-ups such as names and phone numbers. CHRs could then reach out to the patient to remind them of an appointment and provide transport or other support as appropriate."

Like the COVID response, the data disclosures must be documented and regularly shared with the local Health Information Management (HIM) officer. I've attached an example of a log sheet IHS providers used during the COVID response. This log sheet is acceptable for our current syphilis response.

The IHS HIV/HCV/STI Branch will contact you again shortly to give more instructions on this matter and seek input from the field. In the meantime, please don't hesitate to contact Richard.Haverkate@ihs.gov and Brigg.Reilley@ihs.gov for more information.

All my best,

~Rick



Rick Haverkate, MPH (he/him) [What's this?](#)

(Enrolled: Sault Ste. Marie Tribe of Chippewa Indians)

Branch Chief, HIV/HCV/STI Branch

POC for Two-Spirit & LGBTQ+ Matters

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