



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)).

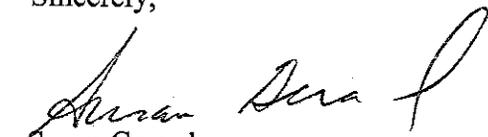
This certification incorporates by reference the enclosure(s) identifying the Arizona Department of Health Services/Public Health Services Division programs that collect and receive protected health information and related records. The Arizona Department of Health Services certifies that the Public Health 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.



Division of Public Health Services

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JANET NAPOLITANO, GOVERNOR
 SUSAN GERARD, DIRECTOR

**Revised Public Health Authority Verification Table
 OCTOBER 2007**

**NOTICE OF PUBLIC HEALTH CERTIFICATION FOR THE
 ARIZONA DEPARTMENT OF HEALTH SERVICES**

In April 2003, the Health Insurance Portability and Accountability Act (HIPAA) Compliance office and the Division of Public Health Services (DPHS), developed a Public Health Authority Verification Table for the purpose of notifying facilities that the DPHS has authority to collect and receive protected health information and related records for public health purposes. This is an updated version of the original 2003 table.

The DPHS programs listed below collect and receive protected health information and related records for public health purposes. From time to time, programs may be added to or deleted from this list to comply with changes in federal or state statutes, rules, regulations or other public health requirements.

DIVISION OF BEHAVIORAL HEALTH SERVICES

Division of Behavioral Health Services	A.R.S. §§ 36-104, 36-132, 36-261, 36-261.01, 36-262, 36-263, 36-264, & 36-265	9 A.A.C. Chapter 7
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Children's Rehabilitative Services (CRS)	A.R.S. §§ 36-104, 36-132, 36-261, 36-261.01, 36-262, 36-263, 36-264, & 36-265	9 A.A.C. Chapter 7
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DIVISION OF LICENSING SERVICES

Medical Facility Licensing	A.R.S. §§ 36-104, 36-132,	9 ACC Chapter 10
Behavioral Health Facility Licensing	A.R.S. §§ 36-104, 36-132,	

HEALTH PREVENTION SERVICES

Office For Children With Special Health Care Needs

Program	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Arizona Early Intervention Program (AzeIP)	A.R.S. §§ 8-652, 36-104, & 36-132	
Asthma Program	A.R.S. §§ 36-104 & 36-132	
Children's Rehabilitative Services (CRS)	A.R.S. §§ 36-104, 36-132, 36-261, 36-261.01, 36-262, 36-263, 36-264, & 36-265	9 A.A.C. Chapter 7
Community Development/Parent Led Community Action Teams	A.R.S. §§ 36-132 & 36-265	
Community Health Nursing	A.R.S. §§ 36-104 & 36-132	
Sickle Cell Anemia Program	A.R.S. §§ 36-104, 36-132, 36-261, 36-797.41, 36-797.42, 36-797.43 & 36-797.44	
Tele-Health Program	A.R.S. § 36-132	
Traumatic Brain Injury Program	A.R.S. §§ 36-104 & 36-132	

Office of Chronic Disease Prevention & Nutrition Services

Program	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Arizona Commodity Supplemental Foods Program	A.R.S. §§ 36-104 & 36-132	
Arizona Farmer's Market Nutrition Program (AZ FMNP)	A.R.S. §§ 36-104, 36-132 & 36-700	
Arthritis Program	A.R.S. §§ 36-104 & 36-132	
Diabetes Prevention and Control Program	A.R.S. §§ 36-104 & 36-132	
Early Childhood Nutrition Program	A.R.S. §§ 36-104 & 36-132	
Folic Acid Education and Distribution Program	A.R.S. §§ 36-104, 36-132 & 36-699	
Nutrition and Physical Activity Program	A.R.S. §§ 36-104 & 36-132	
The AZ Nutrition Network (AZNN)	A.R.S. §§ 36-104 & 36-132	
Well Woman Healthcheck Program	A.R.S. §§ 36-104 & 36-132	
Women, Infants, & Children Program (WIC)	A.R.S. §§ 36-104 & 36-132 & 42 U.S.C.A. 1786	

Office of Health Systems Development

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Arizona Loan Repayment Program	A.R.S. §§ 36-2172 & 36-2174	9 A.A.C. Chapter 15
Arizona State 30 J-1 Visa Waiver Program	A.R.S. § 36-104	
National Health Service Corps	A.R.S. § 36-104	
National Interest Waiver	A.R.S. § 36-104	
Non-Renal Transplant Medications Program	A.R.S. § 36-132	
Primary Care Program	A.R.S. §§ 36-132, 36-2907.05, 36-2907.06, & 36-2907.07	
Telemedicine Program	A.R.S. § 36-132	

Office of Oral Health

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Arizona Dental Trailer Loan Program	A.R.S. §§ 36-104, 36-132, & 36-138	9 A.A.C. Chapter 23
Community Water Fluoridation	A.R.S. §§ 36-104 & 36-132	9 A.A.C. Chapter 23
School Oral Health • Arizona Dental Sealant Program • Fluoride Mouthrinse Program	A.R.S. §§ 36-104 & 36-132	9 A.A.C. Chapter 23

Office of Tobacco Education and Prevention

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Tobacco Program Evaluation	A.R.S. §§ 36-132, 36-772, & 36-773	

Office of Women's and Children's Health

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Abstinence Education Program	A.R.S. §§ 36-104 & 36-132	

Arizona Child Fatality Review Program	A.R.S. §§ 36-104, 36-132, 36-3501, 36-3502, 36-3503, & 36-3504	
County Prenatal Block Grant	A.R.S. §§ 36-104 & 36-132	
Health Start Program	A.R.S. §§ 36-104, 36-132, & 36-697	
High Risk Perinatal/Newborn Intensive Care Program	A.R.S. §§ 36-104 & 36-132	
Newborn Screening Program	A.R.S. §§ 36-104, 36-132, 36-133, 36-694, & 36-694.01	9 A.A.C. Chapter 13, Article 2
OWCH Hotline	A.R.S. §§ 36-104 & 36-132	
Rape Prevention and Education Program (RPEP)	A.R.S. §§ 36-104 & 36-132	
Reproductive Health/Family Planning Program	A.R.S. §§ 36-104 & 36-132	
Sensory Program	A.R.S. §§ 36-104 & 36-132	
Unexplained Infant Death Council	A.R.S. §§ 36-104, 36-132, 36-2291, 36-2292, & 36-2293	

HEALTH PREPAREDNESS SERVICES

Bureau of Emergency Medical Services

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Bureau of Emergency Medical Services	A.R.S. Title 36, Chapter 21.1	9 A.A.C. 25

Bureau of Epidemiology and Disease Control

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
AIDS Drug Assistance Program	A.R.S. §§ 36-104 & 36-132	9 A.A.C. 6, Article 4

Environmental Health Office • Children's Environmental Health • Indoor Air Quality Program • Lead Poisoning Prevention Program • Pesticide Poisoning and Prevention • SunWise School Program • Environmental Health Consultation Services (EHCS) Program • Food Safety and Environmental Services (FS&ES)	A.R.S. §§ 36-104, 36-132, 36-136, 36-601, 36-606, 36-1672, 36-1673, 36-1674, 36-1675, & 36-1676	R9-4-201, R9-4-202, R9-4-301, R-4-302, & R9-8-101 <i>et seq.</i>
Hepatitis C Program	A.R.S. §§ 36-104, 36-132, & 36-136	9 A.A.C. 6, Articles 1 & 2 & R9-6-337
HIV/AIDS • Care and Services Program • HIV Epidemiology Program • Prevention Program	A.R.S. §§ 13-1415, 36-104, 36-132, 36-136, 36-661, 36-662, 36-663, 36-664, 36-665, 36-666, 36-667, 36-668, & 36-669	9 A.A.C. 6, Article 9, R9-6-202, R9-6-204, R9-6-301, & R9-6-339
Arizona Immunization Program	A.R.S. §§ 36-104, 36-104(b)(ii), 36-132, 36-135, 36-136, 36-671, 36-672, 36-673, & 36-674	R9-6-701, R9-6-702, R9-6-703, R9-6-704, R9-6-705, R9-6-706, R9-6-707, & R9-6-708
Infectious Disease Epidemiology • Hepatitis C (HCV) Program • Infectious Disease Epidemiology Program • Sexually Transmitted Disease (STD) Control Program • Tuberculosis (TB) Control Program • Vector Borne and Zoonotic Disease Section	A.R.S. §§ 36-104, 36-132 & 36-136 & A.R.S. Title 36, Chapter 6, Articles 2, 4, & 6	9 A.A.C. 6 Articles 1, 2, 3 & 6
Sexually Transmitted Diseases	A.R.S. §§ 36-104, 36-132, & 36-136	9 A.A.C. 6, Articles 1, 2, & 3
Tuberculosis Control Program	A.R.S. §§ 36-104, 36-132, 36-136, & A.R.S. Title 36, Chapter 6, Article 6	9 A.A.C. 6, Articles 1, 2 & 6 & R9-6-373

Bureau of State Laboratory Services

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Office of Environmental and Analytical Chemistry	A.R.S. §§ 36-251, 36-253, & 36-255	
Epidemic Detection and Response	A.R.S. §§ 36-104, 36-132, 36-136, 36-251, & 36-786	
Office of Laboratory Licensure, Certification and Training	A.R.S. §§ 36-104 & 36-136, & A.R.S. Title 36, Chapter 4.3	9 A.A.C. 14, Article 6
Office of Public Health Microbiology <ul style="list-style-type: none"> • Environmental Microbiology Section • Infectious Disease Section • Newborn Screening Lab Section • Serology Section • Virology Section 	A.R.S. §§ 36-104, 36-132, 36-136, 36-251, & 36-694	

OTHER PUBLIC HEALTH SERVICES

Bureau of Public Health Statistics

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Abortion Reporting	A.R.S. § 36-329	A.A.C. R9-19-302
Cost Reporting – Uniform Accounting Reports (UAR), Hospital Discharge Data, Emergency Department Data	A.R.S. §§ 36-125.04 & 125.05	A.A.C. R9-11-101, R9-11-201, R9-11-202, R9-11-301, R9-11-302
Office of Health Registries <ul style="list-style-type: none"> • Arizona Birth Defects Monitoring Program • Arizona Cancer Registry 	A.R.S. 36-104, 36-133; Public Health Service Act Amendments, Public Law 104-166, effective July 29, 1996, 42 USC Chapter 6A	A.A.C. R9-4-104, R9-4-401, R9-4-401.01, R9-4-402, R9-4-403, R9-4-501, R9-4-502
Traumatic Brain Injury Registry	A.R.S. 36-104, 36-132; Public Health Service Act Amendments, Public Law 104-166, effective July 29, 1996, 42 USC Chapter 6A	

Vital Records-Birth, Death, Fetal Death Reporting	A.R.S. Title 36, Chapter 3	9 A.A.C. 19
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Office of Border Health Services

Programs	State or Federal Statute(s)	Administrative Rule(s) or Regulation(s)
Border Health Disease Surveillance	A.R.S. 36-104, 36-132, 36-133, 36-136,	
Border Health Prevention Programs	A.R.S. 36-104, 36-132, 36-136	

Updates of the list will be available on the Department of Health Services' web site: www.azdhs.gov. An alternate form or printed version of the list may be obtained by calling Arizona Department of Health Services, Division of Public Health Services, Assistant Director' Office at 602-542-1023 or Information Technology Services, HIPAA Privacy and Security Management at 602-364-1560.

Sincerely,



Niki O'Keeffe
Assistant Director
Division of Public Health Services



Arizona Department of Health Services
Director's Office
Office of HIPAA Compliance

Sherry Anderson

HIPAA Policy & Compliance Specialist

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Leadership for a Healthy Arizona