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DEPARTMENT OF HEALTH & SOCIAL SERVICES
Public Health Services Division



**SOLANO
COUNTY**

**SOLANO
PUBLIC
HEALTH**



February 18, 2022

To: Healthcare Systems and Providers that Report to Solano County per CCR Title 17, Section 2500

Re: California Title 17 Reporting and Minimum Necessary Disclosure

California Title 17 Section 2500 mandates the reporting of specific diseases or conditions including COVID-19 to local public health¹. The data elements that health care providers are required to submit are specified by the local health jurisdiction case definition. Failure to report is a misdemeanor.

It is the responsibility of the reporting provider to ensure that all HIPAA public health reporting requirements² are met including Minimum Necessary Standard³ and Confidentiality of Substance Use Disorder Patient Records⁴, amongst others. These HIPAA requirements are still in force during the COVID-19 emergency and are reinforced by the HHS Office of Civil Rights' HIPAA, Health Information Exchanges, and Disclosures of Protected Health Information for Public Health Purposes.⁵

Public health does not have the authority to receive and process personally identifying data or information that exceeds that which Title 17 Section 2500 requires reporting providers to include in the case report. Public Health does not have the resources or means to redact excess data or information from a case report, especially within the required reporting time constraints, and it is not the obligation of Public Health to perform such redaction. Public health, at its discretion on a per case basis, may destroy or take steps to redact such information to meet public health needs, but this does not relieve the responsibility of the Provider to meet Title 17 Section 2500 reporting requirements and timelines.

To successfully discharge Title 17 Section 2500, it is the responsibility of the submitting Provider to ensure that only those data required to be reported in the case definition are submitted.

In the case of a report to public health that exceeds the case definition for the specific condition, it is the sole responsibility of the submitting Provider to ascertain if the Minimum Necessary Standard, Confidentiality of Substance Use Disorder Patient Record, or other regulation constitutes a breach and if notification of the impacted individual is required.

¹ <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/ReportableDiseases.pdf>

² <https://www.hhs.gov/hipaa/for-professionals/special-topics/public-health/index.html>

³ <https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/minimum-necessary-requirement/index.html>

⁴ <https://www.ecfr.gov/current/title-42/chapter-I/subchapter-A/part-2>

⁵ <https://www.hhs.gov/sites/default/files/hie-fags.pdf>

Solano County Public Health has reviewed Title 17 Section 2500 data submitted to date and has attached a notice if data have been submitted that exceed Case Definitions.

Respectfully,

A handwritten signature in blue ink that reads "Bela T. Matyas". The signature is written in a cursive style with a large, looping flourish at the end.

Bela T. Matyas, MD, MPH
Health Officer