



21 JULY 2023

To Whom It May Concern

The Centers for Disease Control and Prevention (CDC) is an agency of the U.S. Department of Health and Human Services and is a public health authority as defined by the Health Insurance Portability and Accountability Act (HIPAA), Standards for Privacy of Individually Identifiable Health Information; Final Rule (Privacy Rule) (45 CFR Parts 160 and 164). Pursuant to 45 CFR §164.512(b), covered entities may disclose, without individual authorization, protected health information to public health authorities "...authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, including, but not limited to, the reporting of disease, injury, vital events such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions..." The definition of public health authority includes "... a person or entity acting under a grant of authority from or contract with such public agency..." (45 CFR§164.501).

America's Poison Centers is engaged with CDC in a cooperative agreement (CDC-RFA-EH20-2003), in part, to provide CDC with access to and data from the National Poison Data System (NPDS) for the purposes of public health surveillance. Through this mechanism, CDC has provided America's Poison Centers and its member poison centers, which work in close coordination with America's Poison Centers on these activities, with a grant of authority to conduct this activity and thus function as a public health authority to whom covered entities may disclose protected health information for this purpose of the cooperative agreement and as described herein.

NPDS is a public health activity, specifically public health surveillance as described by §164.512(b) referenced above, and is authorized by the Public Health Service Act, 42 U.S.C. Sections 241 and 247b. The information being requested represents the minimum necessary to carry out the public health purposes of this project consistent with 45 CFR §164.514(d) of the Privacy Rule. The Privacy Rule specifies that covered entities "...may rely, if such reliance is reasonable under the circumstances, on a requested disclosure as the minimum necessary for the stated purpose when: (A) Making disclosures to public officials that are permitted under §164.512, if the public official represents that the information requested is the minimum necessary for the stated purpose(s)..."

If you have any questions or concerns, please contact Rachel Hulkower, JD, MSPH, Lead, Privacy and Confidentiality Unit at 404.718.6547 or Amy Helene Schnall DrPH, NPDS Surveillance Lead, at 770.488.3422.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Svendsen".

Erik Svendsen, PhD, MS  
Director, Division of Environmental Health Science &  
Practice  
National Center for Environmental Health