

Office of AIDS,
Center for Infectious Diseases, California Department of Public Health

Use of AIDS Drug Assistance Program Client Data to Assist with Transition of
Clients from ADAP/Ryan White Services to the Low Income Health Program

Frequently Asked Questions

April 19, 2012

Q: Can the Office of AIDS (OA) share AIDS Drug Assistance Program (ADAP) client records with a local public health agency for the purpose of assisting clients with the transition from ADAP/Ryan White HIV Program services to Low Income Health Program (LIHP) services?

A: Yes. California Health and Safety (H&S) Code allows OA to share HIV/AIDS-related public health records (ADAP client data) with other public health agencies for the specific purpose of facilitating appropriate HIV/AIDS medical care and treatment. Public health agencies receiving this client data can only use these data to contact ADAP clients or clients' HIV providers for the purpose of proactively offering and coordinating care and treatment services. For the exact legal provisions see H&S Code Section 121025 subdivision (c), paragraph (2)(A) by clicking [here](#). More information is also available on OA's website, see Assembly Bill 2541 Policy [Fact Sheet](#).

Q: Can OA share ADAP client records with a county LIHP for purpose of assisting clients with the transition from ADAP/Ryan White HIV Program services into LIHP?

A: California H&S Code only allows OA to share ADAP client data with other public health agencies and for only specific purposes. If a LIHP is administered by a local county public health agency, then California law allows the restricted sharing of these client data. California law does not allow OA to share client data with LIHP that is administered by a county health care services agency or any other non-public health agency.

Q: Can a local public health agency share ADAP client records with a county LIHP which is not part of the local public health agency for purpose of assisting clients with the transition from ADAP/Ryan White HIV Program services into LIHP?

A: No. California law only allows a local public health agency to share ADAP client data with (i.e., contact) ADAP clients or the health care provider who provides an ADAP client's HIV care for the purpose of proactively offering and coordinating care and treatment services to him or her.

Q: Can an ADAP enrollment worker provide ADAP client records to a county LIHP for enrollment purposes?

A: No. ADAP client data can only be shared by local public health agency staff with an ADAP client or the client's HIV provider under restricted conditions.

Q: If a local public health agency wants to request that OA share ADAP client data with them for purpose of assisting clients with the transition from ADAP/Ryan White HIV Program services into LIHP, how would they go about requesting these data?

A: The local public health agency should contact Susan Sabatier, Chief, Program Evaluation and Research Section, OA, at: (Susan.Sabatier@cdph.ca.gov). ADAP data requests need to include the actual variables needed. It is important to note that California law only allows OA to share the minimum necessary for the purpose of the disclosure. Once it is determined that OA can share client data with the local public health agency, the California Department of Public Health (CDPH) requires a data use agreement (DUA) before the data can be shared. The DUA must be approved by CDPH's Office of Legal Services and then signed by both OA and the local public health agency. After the DUA is signed, OA can transfer the data file to the local public health agency via secure file transfer protocol (SFTP), in the same manner that OA uses SFTP to transfer HIV surveillance data to local public health agencies.