



Legal Authority for Provider and Local Public Health Department Staff to Share Patient HIV/AIDS Information for Case Management and Care Coordination
[Office of AIDS](#) Fact Sheet 2017

California Health and Safety Code, Section [121025\(c\)\(2\)\(C\)](#) authorizes local public health department staff to communicate with health care providers for the purpose of proactively offering and coordinating care and treatment services, *and so also authorizes health care providers to respond* with relevant patient information to these local public health department staff.

Section [121025\(c\)\(3\)](#) authorizes local public health department STD and TB control staff to communicate with health care providers for the purpose of facilitating appropriate medical care and treatment of persons co-infected with HIV, TB, syphilis, gonorrhea or chlamydia. This section *also authorizes health care providers to respond* with relevant patient information to these local public health department staff.

Section [121025\(b\)](#) authorizes a local public health department, or an agent of that department, to disclose personally identifying information to other local health departments when necessary for disease investigation, control, or surveillance, as determined by the disclosing local health department.

Section [121025\(c\)\(3\)](#) states that for the purpose of facilitating appropriate medical care and treatment of persons coinfected with HIV and tuberculosis, syphilis, gonorrhea, chlamydia, hepatitis B, hepatitis C, or meningococcal infection, *local public health agency sexually transmitted disease control, communicable disease control, and tuberculosis control staff may further disclose the information to state or local public health agency sexually transmitted disease control, communicable disease control, and tuberculosis control staff, the HIV-positive person who is the subject of the record, or the health care provider who provides his or her HIV, tuberculosis, hepatitis B, hepatitis C, meningococcal infection, and sexually transmitted disease care.*

Federal law authorizes a HIPAA covered entity, such as healthcare providers, to "disclose protected health information without written authorization from the individual" to "A public health authority that is authorized by law to collect or receive such information for the purpose of preventing or controlling disease...including, but not limited to...public health interventions..." ([HIPAA, 45 CFR §164.512\(b\)\(1\)\(i\)](#)): Uses and disclosures for which an authorization or opportunity to agree or object is not required.)

The California Confidentiality of Medical Information Act (CMIA) authorizes a provider of health care to disclose medical information without first obtaining authorization to a local health department for the purpose of preventing or controlling disease including for the purpose of public health interventions. ([CA Civil Code §56.10\(c\)\(18\)](#).)