Public Health Departments and State Patient Confidentiality Laws

Many individuals have one or more communicable diseases like HIV, viral hepatitis, sexually transmitted diseases and tuberculosis. Because of commonalities among these diseases, increased collaboration and sharing of information among prevention programs and care providers could improve the public’s health. But important state laws designed to protect patient privacy can sometimes make it challenging for health departments to provide comprehensive services and collaborative care. This report summarizes key queries from the LawAtlas Public Health Departments and State Patient Confidentiality Laws Map. You can see additional maps and tables by visiting www.lawatlas.org.
Communicable Disease Reporting

All states and the District of Columbia have laws that generally protect the confidentiality of personally identifiable information.

Jurisdictions: 51 (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WI, WV, WY)

Release of Personally Identifiable Information (PII) Held by Health Departments

Twenty-three states have laws that allow health departments to release information for purposes related to disease prevention and control.

Jurisdictions: 23 (CO, FL, LA, MD, MN, MS, MT, NC, NH, NJ, NM, NV, NY, OH, OK, SD, TN, TX, UT, WI, WA, WV, WY)

Laws on How Health Departments Use HIV/AIDS-Related Information

Forty-two states have laws specifying how the health department may use private information when a person has HIV/AIDS.

Jurisdictions: 42 (AL, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MI, MO, MS, MT, NC, ND, NE, NJ, NM, NV, NY, OK, OR, SC, TN, TX, UT, VT, WI, WV, WY)

HIV/AIDS PII Use for Partner Notification or Contact Tracing

Thirty-five of states allow public health departments to use HIV/AIDS-specific information to notify partners or trace contacts.

Jurisdictions: 35 (AL, AZ, CA, CO, CT, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, MI, MO, MS, NC, ND, NE, NM, NV, NY, OK, OR, SC, TX, UT, WI, WV, WY)