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HIPAA
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U.S. Department of Health & Human Services

Health Information Privacy

Disclosures for Emergency Preparedness - A Decision Tool: Overview

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Introduction

How to use this tool

To guide you in determining how the Privacy Rule applies to the disclosure in question, this tool focuses on the source of the information being disclosed, to whom the information is being disclosed, and the purpose of the information being disclosed. To make your determination, go to the question that is most relevant to your emergency preparedness planning need and follow the information flow to find the appropriate answer.

Many terms used in the tool are defined by law or have a special meaning. The definitions or special meanings are discussed on the relevant pages or will be linked to other locations on this Web Site to assist you.

Background

Emergency preparedness and recovery planners are interested in the availability of information they need to serve people in the event of an emergency. For example, planners seek to meet the special needs of the elderly or persons with disabilities in the event of an evacuation. The federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule protects individually identifiable health information held by "covered entities." The information protected is referred to as protected health information or PHI. The HIPAA Privacy Rule permits covered entities to disclose PHI for a variety of purposes. This tool presents avenues of information flow that could apply to emergency preparedness activities. The rules regarding the use and disclosure of PHI apply to all individuals; no special rules apply

to particular populations, such as persons with disabilities. We anticipate that emergency planners may organize their activities in a variety of ways; we hope this guidance will provide useful information to a range of potential programs.

If you are seeking guidance about sharing information during a disaster or other emergency, review our [Guidance Material](#) and [Frequently Asked Questions](#). ***This tool is for advance planning purposes.***

This tool does not address other federal, state or local confidentiality laws that may apply in specific circumstances. For example, disclosures permitted by the Privacy Rule for public health would generally be prohibited under federal substance abuse confidentiality law. Because this tool focuses on issues relevant to emergency preparedness, this tool does not present all the uses and disclosures permitted by the Privacy Rule, nor does it discuss all of the Rule's requirements.

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