Privacy Procedure

L-25-19: Uses and Disclosures During Local Health Emergencies

POLICY: See L-25 Use and Disclosure Limits Policy, at www.cosdcompliance.org.

DEFINITIONS: See HHSA Policy L-30.

PROCEDURES:

The below procedure shall terminate upon declaration of the end of the local health emergency.

HHSA Programs may share Protected Health Information (PHI) as needed to prevent or lessen a serious and imminent threat to the health or safety of a person or the public, and the disclosure is to a person or persons reasonably able to prevent or lessen the threat.

HHSA Programs may disclose PHI for public health purposes without an individual's written authorization to a person who may be, or have been, at risk of contracting or spreading a disease or condition. This PHI may be needed by programs who perform face-to-face and/or in-home visits and thus minimum necessary PHI may be shared with staff performing these activities as well as relevant administrative staff needed to coordinate the sharing. Such programs, include, but are not limited, to:

- Aging and Independence Services programs which perform health and welfare visits to the elderly and dependent adults
- Behavioral Health Services programs which provide mental health and substance use disorder services
- Child Welfare Services (CWS) programs which investigate child abuse and neglect and perform follow-up activities related to families involved with CWS
- Housing and Community Development Services programs which perform case management and other work related to supportive housing
- Medical Care Services Division programs which serve as emergency and first responders
- Office of Business Intelligence (OBI) staff who serve as HHSA's official data holder and coordinate data sharing activities on behalf of the HHSA Director and Public Health Officer
- Public Health Services (PHS) division, including clinics, in-home services programs, and staff performing activities related to the local emergency.

During a local health emergency, online solutions, such as SharePoint Online, may be utilized by the Public Health Officer in an effort to share PHI in an efficient, effective, and secured manner with programs, as above. Information can be shared with key staff identified by PHS in coordination with the Agency Compliance Office. These programs shall use the PHI for purposes of running against a report any daily or emergency home visits to adequately prepare for the visit and/or take alternative methods to ensure minimized risk to staff (e.g. telehealth).

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Note: The sharing of positive test results pertains to healthcare personnel, and/or public health officials. Therefore, staff who are not providing healthcare services should not share the details of positive tests with individuals other than staff who will be providing in-home visits for purposes of adequately preparing for the visit.

Protected Information may be shared in an online solutions, such as SharePoint, by following the below guidelines:

    A.   Gather the following information:
        1.   What is the minimum necessary information that is needed?
        2.   Who can provide the information within PHS and OBI?
        3.   Who needs to receive the information?
                a. Identify a point of contact(s) from the other programs
        4.   What is the frequency in providing the information?
        5.   What format will be used in providing the information?

    B.   Identify a location within the online solution for sharing the above information

        a.   For Sharepoint, this works as follows:

                1.   Create a new internal secured subsite
                2.   Identify a subsite owner who will manage user permissions
                3.   Create a new library in the subsite
                4.   Break inheritance
                5.   Set up different group levels for user permissions (e.g. Edit, View)
                6.   Identify members for each group level
                      a.   Limit to identified point of contacts and their staff who are directly caring for, or will be in direct contact with, individuals.
                      b.   Do not grant permissions to Distribution Lists

       Please contact Pilar.Miranda@sdcounty.ca.gov if you have any questions or need assistance with the subsite.

    C.   Other Permissions: Third party entities (e.g. Contractors, vendors) who are not assigned County email accounts through normal business operations are not allowed access to the internal secured subsite at this time. However, the Agency Compliance Office will make recommendations for external sharing on a case by case basis when an entity is authorized by law or contractual agreement to assist during a local health emergency and requires this information.

QUESTIONS/INFORMATION: HHSA Privacy Officer at 619-338-2808