

**Connecticut Department of Public Health**

**CONFIDENTIALITY PLEDGE**

I recognize the importance of maintaining the confidentiality of personal and personal health information collected by the Connecticut Department of Public Health (DPH), and of assuring the right to privacy of persons, physicians, healthcare providers, facilities, clients of facilities, and agencies, which cooperate with programs within DPH, are regulated by DPH, or participate in DPH's information collection efforts.

I also understand that DPH is legally obligated to protect the privacy of personal health information. I have been provided Connecticut General Statutes §19a-25 and §§19a-7-1, 19a-7-2, 19a-25-1 through 19a-25-4, and 19a-36-A5 of the Regulations of Connecticut State Agencies, which address confidentiality of records, and have been advised that DPH can take necessary action if a breach of confidentiality occurs.

I will not release or disclose information where the number of observations (i.e., individual discharge records) in any given cell of tabulated data is less than or equal to 6.

I will not contact and will prohibit others from contacting establishments or persons in the health data to question, verify, or discuss the health data.

I will make no statement and will prohibit others from making statements indicating or suggesting that interpretations drawn from this health data are those of the Department of Public Health or Connecticut hospitals.

Therefore, I pledge that I will **NOT** access or accept the identifying or personal information of patients, physicians, healthcare providers, facilities, clients of facilities, or agencies, except as needed for the proper discharge of my duties.

I also pledge that I will **NOT**, unless permitted by law and/or required by law, divulge such confidential information except to another DPH employee or associate of DPH who is approved for access to the information and has either signed a DPH confidentiality pledge or executed a contract or Memorandum of Agreement authorizing such disclosure.

I understand that my adherence to this pledge applies during and after my employment at the Department of Public Health.

I agree to protect all confidential information during its collection, use, storage, and destruction. My disclosure or acquisition of confidential information will be what is minimally necessary for the proper discharge of my duties (including reporting duties imposed by legislation) and based on a programmatic need to know. I further understand that if I violate this pledge I will be subject to disciplinary action, up to and including dismissal.

**Individual Pledging to Maintain Confidentiality**

Name \_\_\_\_\_

(Print)

Title \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

Attachments: *Conn. Gen. Stat. §19a-25, Regs. Of Conn. State Agencies §§19a-7-1, 19a-7-2, 19a-25-1 through 19a-25-4, and 19a-36-A5.*

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**Sec. 19a-25. (Formerly Sec. 19-6a). Confidentiality of records procured by the Department of Public Health or directors of health of towns, cities or boroughs.**

All information, records of interviews, written reports, statements, notes, memoranda or other data, including personal data as defined in subdivision (9) of section 4-190, procured by the Department of Public Health, by staff committees of facilities accredited by the Department of Public Health or the maternity mortality review committee, established pursuant to section 19a-59i, in connection with studies of morbidity and mortality conducted by the Department of Public Health, such staff committees or the maternal mortality review committee, or carried on by said department, such staff committees or the maternal mortality review committee jointly with other persons, agencies or organizations, or procured by the directors of health of towns, cities or boroughs or the Department of Public Health pursuant to section 19a-215, or procured by such other persons, agencies or organizations, for the purpose of reducing the morbidity or mortality from any cause or condition, shall be confidential and shall be used solely for the purposes of medical or scientific research and, for information obtained pursuant to section 19a-215, disease prevention and control by the local director of health and the Department of Public Health. Such information, records, reports, statements, notes, memoranda or other data shall not be admissible as evidence in any action of any kind in any court or before any other tribunal, board, agency or person, nor shall it be exhibited or its contents disclosed in any way, in whole or in part, by any officer or representative of the Department of Public Health or of any such facility, by any person participating in such a research project or by any other person, except as may be necessary for the purpose of furthering the research project to which it relates. Notwithstanding the provisions of chapter 55, the Department of Public Health may exchange personal data for the purpose of medical or scientific research, with any other governmental agency or private research organization; provided such state, governmental agency or private research organization shall not further disclose such personal data. The Commissioner of Public Health shall adopt regulations consistent with the purposes of this section to establish the procedures to ensure the confidentiality of such disclosures. The furnishing of such information to the Department of Public Health or its authorized representative, or to any other agency cooperating in such a research project, shall not subject any person, hospital, sanitarium, rest home, nursing home or other person or agency furnishing such information to any action for damages or other relief because of such disclosure. This section shall not be deemed to affect disclosure of regular hospital and medical records made in the course of the regular notation of the care and treatment of any patient, but only records or notations by such staff committees pursuant to their work.

Effective July 1, 1995.

*Current with materials published by the Connecticut General Assembly - 8/20/2019.*

**19a-36-A5. Confidentiality of data**

All epidemiologic information which identifies an individual and which is gathered by the state or local health department in connection with the investigation of reported cases or suspected cases of disease or during the investigation of outbreaks of disease shall be kept in compliance with current confidentiality statutes.

Effective October 25, 1989.

*Current with materials published by the Connecticut Department of Public Health - 8/20/2019.*

## **Confidentiality of Health Care Data**

### **19a-7-1. Definitions**

As used in sections 19a-7-1 and 19a-7-2 of the Regulations of Connecticut State Agencies:

- (1) "Agent" means a person or entity which has entered into an agreement or contract with the department to perform administrative, processing, management, analytical, evaluative, or other related service with the data collected under Section 19a-7(b) of the Connecticut General Statutes;
- (2) "Aggregate health data" means health data that are obtained by adding together like data in a manner that precludes the identification of an individual described by the data;
- (3) "Commissioner" means the commissioner of the Department of Public Health;
- (4) "Confidential health data" means personal data or patient-identifiable data collected under Section 19a-7(b) of the Connecticut General Statutes;
- (5) "Department" means the Department of Public Health;
- (6) "Disseminate" or "disclose" means the communication of health data to any individual or organization outside the department;
- (7) "Health data" means information collected under Section 19a-7(b) of the Connecticut General Statutes, recorded in any form or medium, that relates to the health status of individuals, the determinants of health and health hazards, the availability of health resources and services, or the use and cost of such resources and services;
- (8) "Individual" means a natural person;
- (9) "Organization" means any corporation, association, partnership, agency, department, unit, or other legally constituted institution or entity, or part thereof;
- (10) "Patient" means an individual who has received health care services and from whom health data have been obtained;
- (11) "Patient-identifiable data" means any information that singly or collectively refers to one patient and permits positive or probable identification of that patient;
- (12) "Personal data means" personal data as defined in Section 4-190 of the Connecticut General Statutes;
- (13) "Process of establishing a state health plan" means the activities by which the department collects, analyzes, evaluates, and disseminates health data in order to develop public health priorities, [FN1] goals, and objectives, or other related functions as determined by the commissioner;
- (14) "Public health planning" means any activity conducted by the department as provided in Section 19a-7 of the Connecticut General Statutes; and
- (15) "Report" means data or information extracted or prepared in any form or medium.

Effective February 25, 2000.

*Current with materials published by the Connecticut Department of Public Health - 8/20/2019.*

**19a-7-2. Maintenance of confidentiality**

- (a) Access to confidential health data shall be restricted to those employees or agents engaged in the departments process of establishing a state health plan.
- (b) The department may, at the discretion of the commissioner, disseminate aggregate health data or publish reports based upon aggregate health data provided such data and reports:
  - (1) are used for public health planning and
  - (2) do not include personal data or patient-identifiable data.
- (c) The department may not disclose confidential health data unless:
  - (1) the disclosure is to the data's provider for purposes of quality assurance; or
  - (2) the disclosure is to an individual, organization, governmental entity in this or another state or to the federal government, provided the department determines that:
    - (A) based upon a written application and such other information as required by the department to be submitted by the requesting individual, organization or governmental entity, the data will be used solely for public health planning;
    - (B) the disclosure of data to the requesting individual, organization or governmental entity is required for the public health planning proposed;
    - (C) the requesting individual, organization or governmental entity has entered into a written agreement satisfactory to the department agreeing to protect such data in accordance with the requirements of this section and not permit disclosure without prior approval of the department; and
    - (D) the requesting individual, organization or governmental entity, upon request of the department or after a specified date or event, returns or destroys all confidential health data provided by the department and copies thereof in any form.

Effective February 25, 2000.

*Current with materials published by the Connecticut Department of Public Health - 8/20/2019.*

**Department of Public Health Public Health Code**  
**19a-25-1. Definitions**

**Disclosure of Health Data**

**19a-25-1. Definitions**

As used in Sections 19a-25-1 through 19a-25-4, inclusive, of the Regulations of Connecticut State Agencies:

- (1) "Aggregate health data" means health data that is obtained by combining like data in a manner that precludes the identification of the individual or organization supplying the data or described in the data.
- (2) "Anonymous medical case history" means the description of an individual's illness in a manner that precludes the identification of the individual or organization supplying the data or described in the data.
- (3) "Commissioner" means the commissioner of the Department of Public Health.
- (4) "Department" means the Department of Public Health.
- (5) "Disclosure" or "disclose" means the communication of health data to any individual or organization outside the department.
- (6) "Health data" means information, recorded in any form or medium, that relates to the health status of individuals, the determinants of health and health hazards, the availability of health resources and services, or the use and cost of such resources and services.
- (7) "Identifiable health data" means any item, collection, or grouping of health data that makes the individual or organization supplying it, or described in it, identifiable.
- (8) "Individual" means a natural person.
- (9) "Local Director of Health" means the city, town, borough, or district Director of Health or any person legally authorized to act for the local director of health.
- (10) "Medical or scientific research" means the performance of activities relating to health data, including, but not limited to:
  - (A) describing the group characteristics of individuals or organizations;
  - (B) characterizing the determinants of health and health hazards;
  - (C) analyzing the inter-relationships among the various characteristics of individuals or organizations;
  - (D) the preparation and publication of reports describing these matters; and
  - (E) other related functions as determined by the commissioner.
- (11) "Organization" means any corporation, association, partnership, agency, department, unit, or other legally constituted institution or entity, or part thereof.
- (12) "Studies of morbidity and mortality" means the collection, application, and maintenance of health data on:
  - (A) the extent, nature, and impact of illness and disability on the population of the state or any portion thereof;
  - (B) the determinants of health and health hazards, including but limited to,
    - (i) infectious agents of disease,
    - (ii) environmental toxins or hazards,
    - (iii) health resources, including the extent of available manpower and resources,  
or
    - (iv) the supply, cost, financing or utilization of health care services.

- (C) diseases on the commissioner's list of reportable diseases and laboratory findings pursuant to section 19a-215 of the Connecticut General Statutes; or
- (D) similar health or health related matters as determined by the commissioner.

Effective October 30, 1998.

*Current with materials published by the Connecticut Department of Public Health - 8/20/2019.*

**19a-25-2. Disclosure of aggregate health data, anonymous medical case histories, and reports of the findings of studies of morbidity and mortality**

- (a) The department may, at the discretion of the commissioner, publish, make available, and disseminate aggregate health data, anonymous medical case histories, and reports of the findings of studies of morbidity and mortality, provided such data, histories, and reports:
  - (1) Are prepared for the purpose of medical and scientific research; and
  - (2) Do not include identifiable health data.
- (b) No individual or organization with lawful access to such reports shall be compelled to testify with regard to such reports. Publication or release of such reports shall not subject said report or related information to subpoena or similar compulsory process in any civil or criminal, judicial, administrative or legislative proceeding.

Effective October 30, 1998.

*Current with materials published by the Connecticut Department of Public Health - 8/20/2019.*



## Department of Public Health Public Health Code

### 19a-25-3. Disclosure of identifiable health data

- (a) The department shall not disclose identifiable health data unless:
- (1) The disclosure is to health care providers in a medical emergency as necessary to protect the health, life, or well-being of the person with a reportable disease or condition pursuant to section 19a-215 of the Connecticut General Statutes;
  - (2) The disclosure is to health care providers, the local director of health, the department, another state or public health agency, including those in other states and the federal government, or other persons when deemed necessary by the department in its sole discretion for disease prevention and control pursuant to section 19a-215 of the Connecticut General Statutes or for the purpose of reducing morbidity and mortality from any cause or condition, except that every effort shall be made to limit the disclosure of identifiable health data to the minimal amount necessary to accomplish the public health purpose;
  - (3) The disclosure is to an individual, organization, governmental entity in this or another state or to the federal government, provided the department determines that:
    - (A) Based upon a written application and such other information as required by the department to be submitted by the requesting individual, organization or governmental entity the data will be used solely for bona fide medical and scientific research;
    - (B) The disclosure of data to the requesting individual, organization or governmental entity is required for the medical or scientific research proposed;
    - (C) The requesting individual, organization, or governmental entity has entered into a written agreement satisfactory to the department agreeing to protect such data in accordance with the requirements of this section and not permit disclosure without prior approval of the department; and
    - (D) The requesting individual, organization or governmental entity, upon request of the department or after a specified date or event, returns or destroys all identifiable health data provided by the department and copies thereof in any form.
  - (4) The disclosure is to a governmental entity for the purpose of conducting an audit, evaluation, or investigation required by law of the department and such governmental entity agrees not to use such data for making any determination as to whom the health data relates.
- (b) Any disclosure provided for in this section shall be made at the discretion of the department, provided the requirements for disclosure set forth in the applicable provisions of this section have been met. For disclosures under this section to governmental entities, the commissioner may waive the requirements of this section except for the requirements of subdivision (A) of subsection (3).

- (c) Notwithstanding any other provisions of this section, no identifiable health data obtained in the course of activities undertaken or supported under this section shall be subject to subpoena or similar compulsory process in any civil or criminal, judicial, administrative, or legislative proceeding, nor shall any individual or organization with lawful access to identifiable health data under the provisions of this section be compelled to testify with regard to such health data. (Effective October 30, 1998.)

**19a-25-4. Use of health data for enforcement purposes**

- (a) Notwithstanding any provisions of sections 19a-25-1 to 19a-25-3, inclusive of the Regulations of State Agencies, the department may utilize, in any manner, health data including but not limited to aggregate health data, identifiable health data, and studies of morbidity and mortality, in carrying out and performing its statutory and regulatory responsibilities and to secure compliance with or enforcement of any laws. Where such data is used in an enforcement action brought by the department or any other state agency, disclosure to parties to the action of such data shall be permitted only required by law and said parties may not further disclose such data except to a tribunal, administrative agency or court with jurisdiction over the enforcement action. Disclosure under this section does not constitute a waiver or release of the confidentiality that protects such data.

Effective October 30, 1998.

*Current with materials published by the Connecticut Department of Public Health - 8/20/2019.*