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Confidentiality of Health Care Data

Sec. 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, 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.

(Adopted effective February 25, 2000)

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

(a) Access to confidential health data shall be restricted to those employees or agents engaged in the department’s 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.

(Adopted effective February 25, 2000)