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To: Healthcare Providers and Facilities

From: Dr. Catherine M. Brown, DVM, MSc, MPH, State Epidemiologist

Date: April 27, 2020

RE: Contact Tracing Collaborative (CTC) Authority to Collect Demographic Information on COVID-19 Cases on Behalf of the Department of Public Health

On March 10, 2020, Governor Charles D. Baker declared of a State of Emergency in the Commonwealth to respond to the spread of COVID-19. The Department of Public Health (Department) has statutory and regulatory authority to investigate, monitor, prevent and control diseases dangerous to the public health, including COVID-19, and to access individual health information to carry out its responsibilities. See G.L. c. 111, §§ 5, 6, 7; 105 CMR 300 et seq.

Healthcare providers, including but not limited to hospitals, clinics, individual practitioners and laboratories, are required by Massachusetts law to provide information to the Department. See G.L. c. 111, §7; 105 CMR 300 et seq. The HIPAA Privacy Rule permits a covered entity to disclose protected health information to a public health authority, without the written authorization of the individual, when it is to be used for the purpose of preventing or controlling disease, injury or disability. 45 CFR 164.512 (b). The Department meets the definition of public health authority in the HIPAA regulations. See 45 CFR 164.501.

The Commonwealth has established the Community Tracing Collaborative (CTC) to enable comprehensive public health follow-up in response to the COVID-19 emergency. The CTC's contact tracing work is an additional measure required to control the spread of COVID-19 authorized by the Department pursuant to 105 CMR 300.200. **The contact tracers working for the CTC are acting on behalf of the Department to request necessary demographic information, specifically: full name, date of birth, address, phone number, and race and ethnicity.**

Please note that contact tracers will never ask for social security numbers or health insurance identification numbers.