



May 1, 2007

TO LICENSED HEALTH CARE PROVIDERS

Re: Reporting of Diseases or Conditions of Public Health Significance: Cancer Reporting

Implementation of the privacy rule of the Health Insurance Portability and Accountability Act (HIPAA) has resulted in some misunderstanding of the health care provider's obligation to report cancer cases to the statewide cancer registry, the Florida Cancer Data System (FCDS). The Department of Health is concerned that misrepresentation of this federal law will impact the state's mandatory cancer reporting. HIPAA does not change the obligation to report or the obligation to cooperate with the Department or its designated representative for monitoring and investigating cancer occurrences.

HIPAA Section 45 CFR 160.203(c) specifically defers to state law of "reports of disease, injury, child abuse, birth or death for conduct of public health". Also, as a health care provider, you are specifically allowed to report these and other matters to the public health authority without notice to your patient and the consent from your patient (45 CFR 164.512(b)). In fact, section 381.0031 *Florida Statutes (F.S.)* requires licensed health care practitioners to report diseases or conditions of public significance, including cancer, to the Department of Health. Chapter 64D-3, Florida Administrative Code, specifies the diseases requiring your report. These state requirements are not reduced or changed by the federal law.

The tracking of diseases or conditions of public health significance, including cancer, is of great importance. These data have proven invaluable and are used for epidemiologic and research studies. The availability of high quality cancer data is integral to minimize the occurrence and burden of cancer, and to improve the health and quality of life for persons who have this devastating disease. The backbone to tracking cancer and other diseases or conditions of public health significance is practitioner reporting.

Please be assured that your efforts have contributed to local and state efforts to promote and protect the health and safety of all people in Florida. The continued timely and complete reporting of diseases or conditions of public health significance, including cancer, by health care practitioners throughout the state are appreciated.

Sincerely,

A handwritten signature in black ink that reads "Rodney M. Johnson".

Rodney M. Johnson, JD, BCHL
Department Privacy Officer

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