



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

Senate: HHS DPA 7-0-1-0 | 3rd Read 29-0-1-0

House: HHS DPA 9-0-0-0

SB 1505: health information; disclosures; prohibition

Sponsor: Senator Shope, LD 8

House Engrossed

Overview

Allows specified entities to disclose identifying immunization information and communicable disease information to Arizona’s official health information organization (HIO).

History

Enacted in 1996, the Health Insurance Portability and Accountability Act (HIPAA) requires the Secretary of the U.S. Department of Health and Human Services (U.S. HHS) to publicize standards for the electronic exchange, privacy and security of health information. In 2002, U.S. HHS developed the Privacy Rule to protect all individually identifiable health information, including demographic data that relates to: 1) the individual’s past, present or future physical or mental health condition; 2) the provision of health care to the individual; and 3) the past, present or future payment for the provision of health care to the individual. Protected information under the Privacy Rule may be disclosed, without the individual’s authorization, for the following purposes or situations: 1) to the individual; 2) treatment, payment and health care operations activities; 3) opportunity to agree or object ; 4) incident to an otherwise permitted use and disclosure; 5) public interest and benefit activities; and 6) limited data set for the purposes of research, public health or health care operations ([U.S. HHS](#)).

Statute defines an *HIO* as an organization that oversees and governs the exchange of individually identifiable health information among organizations according to nationally recognized standards. ([A.R.S § 36-3801](#)).

Provisions

1. Allows the Arizona Department of Health Services (DHS) to release identifying immunization information to:
 - a) An external quality review organization or any other entity that has a business associate agreement with the Arizona Health Care Cost Containment System (AHCCCS); and
 - b) A nonprofit HIO that is designated by DHS as Arizona's official health information exchange organization. (Sec. 1)
2. Specifies that confidential health information and records, including services provided by the Division of Developmental Disabilities and information pertaining to communicable diseases, may be disclosed only as authorized by state or federal law, including HIPAA privacy standards. (Sec. 2)
3. Allows a state, county or local health department or officer to disclose communicable disease related information if the disclosure is to a nonprofit HIO that is designated by DHS as Arizona’s official health information exchange organization. (Sec. 3)
4. Makes technical and conforming changes. (Sec. 1-3)

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
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