



Tennessee Department of Health

John J. Dreyzehner, MD, MPH, FACOEM
Commissioner

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Dear Health Partner,

All records pertinent to investigations associated with confirmed or potential Zika virus or neurologic birth defects **are required to be provided to the Tennessee Department of Health upon request.** This may include review of any medical records, interview of affected persons or medical personnel, and records regarding care and coordination in any setting.

The authority to conduct surveillance, which may include patient or provider interviews, and examination of isolates and/or medical record reviews, comes from the Communicable Diseases Rules of the Tennessee Department of Health. Under the law the Commissioner of Health has the authority to "make sanitary inspections and inquiries respecting the causes of diseases..." (TCA 68- 1 – 104[2]). The Rules state that the local health officer or Commissioner or a designated representative of the Commissioner shall "make a complete epidemiological investigation to include (but not limited to): review of appropriate medical and laboratory records of affected persons and controls, interviews of affected persons and controls, and recording of findings ..." (1200- 14 - 01-.15(d)). Rule 1200-14-01-.26 states: "No person shall interfere with or obstruct...the examination of any relevant record, by the responsible health officer, his duly authorized agent or a representative of the Department in the proper discharge of his or her official duties under these Rules." The Tennessee Department of Health (TDH) conducts surveillance for a number of communicable diseases and other public health threats in its capacity as a public health authority as defined by the Health Insurance Portability and Accountability Act (HIPAA), Standards for Privacy of Individually Identifiable Health Information; Final Rule (Privacy Rule) [45 CFR §164.501].

Pursuant to 45 CFR §164.512(b) of the Privacy Rule, covered entities such as hospitals may disclose, without individual authorization, protected health information to a public health authority that is authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, including, but not limited to, the reporting of disease, injury, vital events such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions..."

Surveillance of suspected cases of Zika virus is a collaborative of the Tennessee Department of Health and the Centers for Disease Control and Prevention. Thank you for your continued cooperation in these surveillance efforts and contributions to our shared mission of protecting the health of our population, particularly the women and infants affected by Zika virus.

Sincerely,

Morgan F. McDonald, MD, FAAP, FACP
Assistant Commissioner
Director, Division of Family Health and Wellness
Tennessee Department of Health