



State of California—Health and Human Services Agency
Department of Health Services



GRAY DAVIS
Governor

March 21, 2003

Hospital Administrators
Hospital Cancer Registrars
Pathology Laboratory Directors
Cancer Diagnostic and Treatment Centers
Surgery Centers
Physicians

Re: HIPAA and California Cancer Reporting Requirements

Dear Colleague:

The purpose of this letter is to assist your institution or medical practice in complying with the requirements of the HIPAA Privacy Rule as they relate to your institution's or medical practice's reporting of information about cases of cancer to the California Cancer Registry.

The Privacy Rule (45 CFR part 164) permits covered entities to disclose protected health information without the written authorization of the individual "to the extent that the disclosure is required by law and the disclosure complies with and is limited to the relevant requirements of such law." (45 CFR section 164.512(a)(1)). Your institution is required by California law to report cases of cancer to the Department of Health Services or its authorized representative. (See California Health & Safety Code sec. 103885.) The Department has designated the institution named on the enclosed list of regional cancer registries as its authorized representative to receive reports from your institution. In addition, the Department has specified the data items required to be reported by your institution in the regulations implementing section 103885 (California Code of Regulations, Title 17, Section 2593). Accordingly, your institution's reporting of information about cases of cancer to the California Cancer Registry in accordance with the aforementioned statute and regulations is a permitted disclosure under the HIPAA Privacy Rule.

Your institution has previously been given instructions about cancer reporting procedures. If you have any questions about your reporting obligations, please see the official CCR website (<http://www.ccrca.org>) or contact the regional cancer registry.

The enclosed FAQ prepared by the Public Health Institute is for your information.

Sincerely,

William E. Wright, Ph.D., Chief
Cancer Surveillance Section



Do your part to help California save energy. To learn more about saving energy, visit the following web site:
www.consumerenergycenter.org/flex/index.html