City and County of San Francisco
London N. Breed, Mayor
San Francisco Department of Public Health
Grant Colfax, MD, Director of Health

DPH Privacy Matrix
Sharing Protected Health Information for TREATMENT PURPOSES

When allowed by law (see below), Protected Health Information (PHI) may be shared for treatment purposes across disciplines and programs on a minimally necessary, "need-to-know" basis. **For purposes of treatment and care coordination, treating healthcare providers may be inside or outside of DPH.** PHI includes but is not limited to diagnosis, functional status, treatment plan, symptoms, prognosis, progress, medications, test results and case management/coordination communication.

Description of PHI	Who may disclose or receive it?	Explanation and References
Physical/General Health	Any treating provider of the patient- past, present or future (e.g. receiving/sending a referral)	Patient's providers and providers' staff for the purpose of treatment, diagnosis, or referral *[Reference: Civil Code §56.10(a); 45 CFR 164.506(c)-HIPAA)]*
Behavioral Health	Any treating provider of the patient- past, present or future (e.g. receiving a referral).	Any healthcare provider (any discipline) "who has medical or psychological responsibility for the patient" *[Reference: W&I Code §5328(a);45 CFR 164.506(c) and Federal Sharing information Related to Mental Health]*
Substance Use Disorder (not covered under 42 CFR Part 2)	Any treating provider of the patient- past, present or future (receiving a referral)	Can be shared like any other PHI under HIPAA.
Substance Use Disorder (SUD) Treatment - Program meets 42 CFR Part 2 criteria	SUD Treatment Program and recipients ONLY with patient's specific authorization (limited exceptions)	SUD treatment programs under 42 CFR Pt 2 examples are OBIC, OTOP, residential treatment program & addiction counselor. Must have 42 CFR Pt 2 patient authorization to release covered information to specific providers, health plans, CBOs, probation/courts, etc. Exception: a medical emergency, research *[Reference: 42 CFR Part 2, section 2.12 (c)(3)]*
HIV Test Results	Treating provider can disclose to other treating providers (provided that tests results have been discussed with patient)	Providers' staff can also access HIV test results for the purpose of treatment. Specific authorization is required for the release of HIV test results in the medical record. *[Reference CA Hlth & Safety Code* §10895]

Lanterman-Petris-Short (LPS)	Any treating provider of the patient- past, present or future (e.g. receiving a referral)	Exception: Designated state developmentally disabled center can share information only if they have an authorization from patient or guardian/parent or conservator. *[Reference: CA WIC §4514(a]*
Sexually Transmitted Infection (STI)	Any treating provider of the patient- past, present or future (e.g. receiving a referral).	Information regarding an individual's STI acquired during a public health investigation requires an authorization from the patient in order to share with the patient's treating providers

Treatment Providers

Individual practitioners and program staff in agencies or other providers that furnish health services in the normal course of their business are considered treatment or healthcare providers.

HIPAA defines treatment as "the provision, coordination, or management of health care and related services by one or more health care providers, including the coordination or management of health care by a health care provider with a third party; consultation between health care providers relating to a patient; or the referral of a patient for health care from one health care provider to another." References: Civil Code 56.10(c) (1), H&S Code 123010, and HIPAA (45 CFR sec.164.506, 45 CFR 164.501 45, CFR 164.506).

Note that for providers at other city agencies, affiliates and CBOs, must be bound by state and federal confidentiality laws and/or DPH MOUs to be considered a "treatment provider" as noted in the above matrix. Treatment providers can also include providers at city agencies such as Homelessness and Supportive Housing (HSH) e.g. supportive housing and Human Services Agency (HSA) e.g. public benefits. See federal guidance on sharing PHI in these circumstances here

Questions regarding this guidance should be directed to your Privacy Officer or contact the Office of Compliance & Privacy Affairs at compliance.privacy@sfdph.org or (855) 729-6040.

References

California Hospital Association Privacy Manual
HIPAA Privacy Rule and Sharing information Related to Mental Health (federal guidance)
Sharing PHI for Continuity of Care Purposes (federal guidance)
State Health Information Sharing Guidance (SHIG)