

## **CORONAVIRUS LEGAL RESOURCES FOR PUBLIC ENTITIES**

**March 3, 2020**

As many communities across the Commonwealth face public health questions relative to coronavirus, below please find some resources that may be helpful issued, to date, from state and federal public health agencies, including relative to covered entity's obligations under the Health Insurance Portability and Accountability Act ("HIPAA"), and its implementing regulations.

Significantly, please be advised that the requirements of HIPAA still apply even during a public health emergency, and, absent specific, narrow exemptions set forth in HIPAA's Privacy Rule, protected health information ("PHI") regarding individuals may not be publicly disclosed without a patient's authorization.

To date, the following state and federal agencies have provided information to public entities, including relative to compliance with HIPAA and permissible information sharing during a public health event. As this issue continues to evolve daily, ensure that any resources you are reviewing are current.

- Massachusetts Department of Public Health: <https://www.hhs.gov/sites/default/files/february-2020-hipaa-and-novel-coronavirus.pdf>
- U.S. Department of Health and Human Services Bulletin, HIPAA Privacy and Novel Coronavirus: <https://www.hhs.gov/sites/default/files/february-2020-hipaa-and-novel-coronavirus.pdf>
- Centers for Disease Control and Prevention: <https://www.cdc.gov/coronavirus/2019-ncov/index.html>

We will continue to keep you updated regarding any legal implications associated with this ongoing public health matter. Please contact Attorney Janelle Austin at (617) 556-0007 with any questions.

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