

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

Celeste Philip, MD, MPH
Surgeon General and Secretary

Vision: To be the Healthiest State in the Nation

September 15, 2017

To Whom It May Concern:

This letter shall outline the right of the Florida Poison Information Center (Poison Centers), operating as a public health authority under the aegis of the Florida Department of Health, to obtain patient information.

Both HIPAA and state law permit the sharing of personal health information by covered entities for diagnosis and treatment of common patients without the consent of the patient.

The Health Information Portability and Accountability Act (HIPAA) permits covered entities to disclose protected health information, without authorization, to public health authorities who are legally authorized to receive such reports for the purpose of preventing or controlling disease, injury, or disability. This would include, for example, the reporting of a disease or injury; reporting vital events, such as births or deaths; and conducting public health surveillance, investigations, or interventions. 45 CFR 164.512(b)(1)(i).

Additionally, Section 395.1027, Florida Statutes, requires a licensed facility or health care practitioner to release to a regional poison control center any patient information that is relevant to the episode under evaluation for purposes of treatment or that is necessary for case management of poison cases and other patient information that is necessary to comply with the data collection and reporting requirements. Florida Statutes also authorize the Poison Centers to provide case management of poison cases and professional consultation to healthcare practitioners.

Please inform your staff of the information contained herein and their ability to share patient health information with the Poison Centers.

Should you have any questions or concerns, please contact Shafonda Derico, Florida Certified Contract Manager, Division of Children's Medical Services, (850) 245-4246, Shafonda.Derico@flhealth.gov.

Sincerely,

A handwritten signature in blue ink that reads "Peggy Scheuermann".

Peggy Scheuermann, M.Ed., CPM
Bureau Chief, Child Protection & Special Technology
Children's Medical Services
Florida Department of Health

PS/sd

cc: S. Nicole Jordan, Child Protection Unit Director
Mary Hilton, Contract Management Unit Administrator
Shafonda Derico, Florida Certified Contract Manager
