

Memorandum of Understanding

This Memorandum of Understanding is made on April 13, 2020 between McLean County Health Department and the City of Bloomington, Illinois.

Consistent with recent guidance issued by the U.S. Dept of Health and Human Services (HHS) Office for Civil Rights (OCR), entities subject to HIPAA (e.g., hospitals) may disclose protected health information about a patient that has been infected or exposed to COVID-19 to first responders including local law enforcement, paramedics, medical transport staff, and fire department personnel to minimize the threat of imminent exposure to such personnel in the discharge of their duties. *(See 45 CFR 164.512(j)(1))*

As stated in guidance from the Illinois Department of Public Health (IDPH) provided on April 2, 2020, the Office of the Attorney General for the State of Illinois has advised that disclosure of addresses may be permissible under certain circumstances. A Local Health Department (LHD) may exercise its discretion to disclose address information about persons who have tested positive for COVID-19 to first responders. Timely receipt of this information will allow first responders to take extra precautions and/or use personal protective equipment to lessen the responder's risk of exposure.

Both parties agree that the most efficient and safe way to disseminate this information is through the City of Bloomington Dispatch directly to the first responders and the purpose of this agreement is to memorialize the process that is to be used.

Effective Monday, April 13, by the end of each business day, the McLean County Health Department Administrator will contact the City of Bloomington Dispatch and provide addresses for anyone in McLean County currently on home isolation due to COVID-19. The code/alert placed on the address' record will state, "Suspected COVID-19".

The code/alert will be set to automatically discontinue being part of the address' record after 30 days.

All dispatchers transmitting or receiving this information must make reasonable efforts to limit the information used or disclosed. This includes making reasonable efforts to ensure that a person's protected health information (COVID-19 status) is not broadcast to the listening public, nor transmitted in a manner that is readily accessible to the public. Dispatchers will not disseminate this information to anyone else, other than consistent with this policy.

The agreement to share the information mentioned above is only for COVID-19 cases, as per guidance, and is in no way to be construed as an agreement to provide information about any other health condition.

This MOU may be terminated by either party, for any reason, by giving 30 days written notice.

This MOU to share the information listed above shall be terminated on December 31, 2020, or when the novel coronavirus COVID-19 (SARS-CoV-2) pandemic is declared to be in a "post-pandemic" phase by the World Health Organization (WHO).

Paul Paul
McLean County Health Department signature

City of Bloomington signature

President McLean County BOH
Title

Title

4/13/20
Date

Date

Relevant Links (hyperlink)

OCR Issues Guidance to Help Ensure First Responders and Others Receive Protected Health Information about Individuals Exposed to COVID-19 (U.S. Dept of Health & Human Services press release, March 24, 2020)

COVID-19 and HIPAA: Disclosures to law enforcement, paramedics, other first responders and public health authorities (guidance document from HHS Office for Civil Rights, March 24, 2020)

Interim Guidance for Emergency Medical Services (EMS) Systems and 911 Public Safety Answering Points (PSAPs) for COVID-19 in the United States (CDC guidance document, March 10, 2020)

Guidance to Local Health Departments on Disclosure of Information Regarding Persons with Positive Tests for COVID-19 to Law Enforcement (IDPH guidance document, April 2, 2020)