

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 32.1-127.1:04 of the Code of Virginia, relating to sharing of protected*  
3 *health information between state agencies.*

4 [S 1083]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 32.1-127.1:04 of the Code of Virginia is amended and reenacted as follows:**

8 § 32.1-127.1:04. Use or disclosure of certain protected health information required.

9 A. The coordination of prevention and control of disease, injury, or disability and the delivery of  
10 health care benefits are hereby declared to be (i) necessary public health activities; (ii) necessary health  
11 oversight activities for the integrity of the health care system; and (iii) necessary to prevent serious harm  
12 and serious threats to the health and safety of individuals and the public.

13 B. The Departments of Health, Medical Assistance Services, Mental Health, Mental Retardation and  
14 Substance Abuse Services, *Rehabilitative Services*, and Social Services, *and the Departments for the*  
15 *Aging, the Blind and Vision Impaired, and the Deaf and Hard-of-Hearing, or any successors in interest*  
16 *thereof* shall establish a secure system for sharing protected health information that may be necessary for  
17 the coordination of prevention and control of disease, injury, or disability and for the delivery of health  
18 care benefits when such protected information concerns individuals who (i) have contracted a reportable  
19 disease, including exposure to a toxic substance, as required by the Board of Health pursuant to  
20 § 32.1-35 or other disease or disability required to be reported by law; (ii) are the subjects of public  
21 health surveillance, public health investigations, or public health interventions or are applicants for or  
22 recipients of medical assistance services; (iii) have been or are the victims of child abuse or neglect or  
23 domestic violence; or (iv) may present a serious threat to health or safety of a person or the public or  
24 may be subject to a serious threat to their health or safety. *For the purposes of this section, "public*  
25 *health interventions" shall include the services provided through the Department of Rehabilitative*  
26 *Services, and the Departments for the Aging, the Blind and Vision Impaired, and the Deaf and*  
27 *Hard-of-Hearing, or any successors in interest thereof.*

28 Pursuant to the regulations concerning patient privacy promulgated by the federal Department of  
29 Health and Human Services, covered entities may disclose protected health information to the secure  
30 system without obtaining consent or authorization for such disclosure. Such protected health information  
31 shall be used exclusively for the purposes established in this section.

32 C. The Office of the Attorney General shall advise the Departments of Health, *Medical Assistance*  
33 *Services*, Mental Health, Mental Retardation and Substance Abuse Services, ~~Medical Assistance~~  
34 *Rehabilitative Services*, and Social Services *and the Departments for the Aging, the Blind and Vision*  
35 *Impaired, and the Deaf and Hard-of-Hearing, or any successors in interest thereof* in the  
36 implementation of this section.

ENROLLED

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