



**DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER**  
**Louis A. Johnson VA Medical Center**  
**#1 Medical Center Drive**  
**Clarksburg, WV 26301**

In Reply Refer To: 540/001C/Privacy

March 13, 2023

West Virginia Department of Health and Human Resources  
Bureau for Public Health  
Office of Epidemiology and Prevention Services  
350 Capitol Street, Room 102  
Charleston, WV 25301

Dear Dr. del Rosario:

The purpose of this letter is to acknowledge the receipt of your enclosed standing written request letter which allows VA to initiate disclosure of information to your agency for the purposes outlined within your letter. Your request is valid for a period of three years.

Please be advised that under the provisions of Title 38 U.S.C. §5701(f)(2), VA is required to advise your agency of the penalty provisions of this statute. If your agency willfully uses the patient's name and/or address for any purpose other than for the purpose specified in your standing written request letter, you may be found guilty of a misdemeanor and fined not more than \$5,000 in the case of a first offense and not more than \$20,000 in the case of any subsequent offense.

If you need additional information about VA's release of information procedures or have questions regarding this letter, please contact Abbey Fortney at (304)-623-3461 at extension 2329.

Sincerely,

*Abbey Fortney*

for:

Barbara Forsha, MSN, RN, CPPS, ET  
Executive Director, Louis A. Johnson VA Medical Center



STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
Bureau for Public Health  
Office of Epidemiology and Prevention Services

Jeffrey H. Coben, MD  
Interim Cabinet Secretary

Matthew Q. Christiansen, MD, MPH  
Commissioner & State Health Officer

March 6, 2023

Barbara Forsha, MSN, RN, CPPS, ET, Executive Director  
David DiGiacomo, Associate Director  
Louis A. Johnson Veterans' Administration Medical Center  
1 Medical Center Drive  
Clarksburg, WV 26301-4155

RE: Request for Patient Information

Dear Ms. Forsha and Mr. DiGiacomo,

The West Virginia Department of Health and Human Resources, Bureau for Public Health, Office of Epidemiology and Prevention Services (WVDHHR/BPH/OEPS) has responsibilities of protecting the health and safety of the public pursuant to the West Virginia Reportable Disease Legislative Rule ([WV Code 64-7](#)). To comply with the mandate, the WVDHHR/BPH/OEPS need patient health information to investigate reportable conditions for the purposes set forth in the cited statutes.

As Director of the Division of Infection Disease Epidemiology Surveillance of the WVDHHR/BPH/OEPS, I hereby request the Department of Veterans Affairs (VA) Louis A. Johnson VA Medical Center, West Virginia to report infectious disease information for the purpose of carrying out the statutory mandates.

This information will not be utilized for any purpose other than stated in this request.

Please consider this letter a "standing request" by this agency for any such reports. This request shall be valid for a period of three years.

Sincerely,

*Maria del Rosario*

Maria del Rosario, MD, MPH  
Director of Surveillance, Division of Infectious Disease Epidemiology

Encl: [Letter on HIPAA Privacy](#)



STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
Bureau for Public Health  
Commissioner's Office

Jeffrey H. Coben, MD  
Interim Cabinet Secretary

Matthew Q. Christiansen, MD, MPH  
Commissioner & State Health Officer

January 5, 2023

Dear Healthcare Provider:

The West Virginia Department of Health and Human Resources, Bureau for Public Health (BPH) is committed to protecting the health of West Virginia residents by providing public health oversight and monitoring of health events according to federal and state law. This letter is intended to clarify the ability of a Health Information Portability Accountability Act (HIPAA) covered entity to use and disclose protected health information (PHI) for certain public health activities without first obtaining an individual's authorization.

The HIPAA Privacy Rule provides important privacy rights and protection with respect to patients' health information, including limitations on how it may be disclosed to third parties. The HIPAA Privacy Rule recognizes there are circumstances when sharing patient health information may benefit the health and safety of others, by permitting the use and disclosure of PHI to a **public health authority** (PHA) without a patient's prior authorization.

The HIPAA Privacy Rule includes several permitted uses and disclosures. (See 45 CFR 164.512(b)(1)). As a covered entity, you are permitted to disclose PHI to a PHA for the purposes of preventing or controlling disease, injury, or disability, including many common public health activities contained in the West Virginia Reportable Disease Manual ([oepps.wv.gov/reporting/Pages/rpd\\_manual.aspx](https://oepps.wv.gov/reporting/Pages/rpd_manual.aspx)). BPH encourages all providers to become familiar with 45 CFR 164.512(b)(1) and the Reportable Disease Manual.

Finally, while HIPAA requires information disclosed to the PHA is the minimum information necessary, you may reasonably rely on the PHA's request to define the information that is necessary for the public health activity.

If you have questions, please contact the Office of Epidemiology and Prevention Services at (304) 558-5358 or 1 (800) 423-1271.

Sincerely,

A handwritten signature in blue ink that reads "Matthew Q. Christiansen, MD, MPH".

Matthew Q. Christiansen, MD, MPH  
Commissioner and State Health Officer

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