April 15, 2003

Dear SC Physician:

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) became law April 14, 2001.  Guidelines went into effect April 14, 2003.  The South Carolina Central Cancer Registry in the DHEC Office of Public Health Statistics and Information Services is considered a "non-covered entity" according to HIPAA guidelines. (See attached documentation for verification for DHEC programs) Questions have arisen as to the effect of HIPAA on state cancer reporting to the South Carolina Central Cancer Registry.

The North American Association of Central Cancer Registries (NAACCR) has provided materials that address these questions.  As you will see, HIPAA regulations only minimally impact current state cancer reporting procedures.  Specifically,

> **HIPAA allows for the reporting of identifiable cancer data to public health entities.  Because the South Carolina Central Cancer Registry at the Department of Health and Environmental Control falls under the definition of a public health entity, HIPAA allows your facility/practice to continue to report data to us in compliance with state law.   Written informed consent from each cancer patient reported to public health entities is not required under HIPAA; rather hospitals must simply document that reporting has occurred.**

Enclosed please find a copy of a legal letter from the NAACCR legal counsel, an academic interpretation of HIPAA from Professor James G. Hodge, Jr., J.D., LL.M., of the Georgetown University Law Center, and a list of frequently asked questions and answers. We hope this material is beneficial in your understanding the HIPAA requirements regarding cancer incidence reporting.

Sincerely,

Susan Bolick-Aldrich, MSPH, CTR
Director
South Carolina Central Cancer Registry

Enclosure(s)