

## Attachment E-5 NCHS Strictly Confidential Brochure

### How the National Health Care Surveys Keep Your Information Confidential

National Ambulatory Medical Care Survey

National Hospital Ambulatory Care Survey

National Hospital Care Survey

National Post-Acute and Long-Term Care Study

(formerly National Study of Long-Term Care Providers)

### Protecting the public's privacy-no idle pledge

#### Confidentiality

For more than 50 years, the National Center for Health Statistics (NCHS) has protected the confidential information collected in its surveys.

We take your privacy very seriously. All information that relates to or describes identifiable characteristics of individuals, a practice, or an establishment will be used only for statistical purposes. NCHS staff, contractors, and agents will not disclose or release responses in identifiable form without the consent of the individual or establishment in accordance with section 308(d) of the Public Health Service Act (42 U.S.C. 242m(d) and the Confidential Information Protection and Statistical Efficiency Act (Title III of the Foundations for Evidence-Based Policymaking Act of 2018 (Pub. L. No. 115-435, 132 Stat. 5529 § 302))). In accordance with CIPSEA, every NCHS employee, contractor, and agent has taken an oath and is subject to a jail term of up to five years, a fine of up to \$250,000, or both if he or she willfully discloses ANY identifiable information about you.

#### A strong record for maintaining privacy during data collection and processing

NCHS collaborates with other Federal agencies for example, the U.S. Census Bureau and private research companies, to collect and process data for the National Health Care Surveys (NHCS). These collaborators have a proven record of protecting the privacy of individuals and establishments.

#### HIPAA Privacy Rule on individual patient information and survey participation

The Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule (45 CFR Part 160 and Subparts A and E of Part 164) permits you to make disclosures of protected health information without patient authorization for public health purposes. The National Health Care Surveys (NHCS) meet these criteria.

All component surveys of NHCS that collect information on individual patients and establishments have had a review of the survey's procedures for handling protected health information. Based on the review, practices were determined to be appropriate for safeguarding individuals' and establishments' confidentiality. Copies of review approvals and other related materials are available upon request for each component survey of NHCS.

There are several things that you must do to assure compliance with the Privacy Rule when participating in the survey. First, the privacy notice that you generally provide to your patients must indicate that patient information may be disclosed for public health purposes. Second, you may need to keep a record of the disclosure that shows that some data from the patient's medical record were disclosed to the Centers for Disease Control and Prevention for NCHS (we will provide forms to assist you in record keeping). If you do not transmit health information electronically (such as claims data), you are not subject to the Privacy Rule or the requirements described above.

For additional information on the HIPAA Privacy Rule, visit: <https://www.hhs.gov/ocr/hipaa>

#### Other safeguards for your privacy

- Items that could be used, either directly or indirectly, to identify health care providers, their patients, or establishments are removed from public-use data files. Names, addresses, dates of birth, dates of service, and location of the health care establishment are never released to the public.
- NCHS withholds statistical totals if they represent a location so small that the numbers might identify an individual or an establishment.
- Information security procedures, including the use of coded passwords and physical security of computers, prevent unauthorized access to the data.
- All published summaries are presented in such a way that no individual or an establishment can be identified.

We believe that our procedures for safeguarding information and our record of protecting the privacy of individuals and establishments are some of the reasons why so many providers readily participate and provide reliable information. As a result, information on health care utilization is made available every year to the American public, health care providers, the U.S. government, and the research community.

#### For further information

NCHS data are released in printed reports and CD-ROMs, and on the NCHS website:

<https://www.cdc.gov/nchs/>

For more information about how NCHS protects the information you provide, visit:

<https://www.cdc.gov/nchs/about/policy/confidentiality.htm>

For specific questions about how NCHS protects the information you provide, contact:

NCHS Confidentiality Office

Telephone: 888-642-4159

Email: [nchsconfidentiality@cdc.gov](mailto:nchsconfidentiality@cdc.gov)