

DEPARTMENT OF HEALTH

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JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

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To: Administrators of Schools, Youth Camps, Child Care Centers, Preschools and Institutions of Higher Education

Re: Release of Case Information for Public Health Investigations

Dear Administrators:

The purpose of this letter is to clarify legal obligations required by administrators in regards to public health investigations and to address any potential concerns about the release of protected health information (PHI) to representatives of the New Jersey Department of Health (the Department) and local health officers.

The Department is charged with the responsibility of promoting the public health and preventing the spread of disease in New Jersey. Specifically, the Department has the duty to regulate the detection, reporting, prevention and control of communicable and preventable diseases. N.J.S.A. 26:1A-1 et seq.; N.J.S.A. 26:4-1.1 et seq. With this statutory authority, the Department promulgated rules, N.J.A.C. 8:57-1.1 et seq., which set out the disease reporting requirements within the State.

Under N.J.A.C. 8:57-1.3, an administrator is “the person having control or supervision over a school, youth camp, child care center, preschool, or institution of higher education.” In order for the Department to conduct thorough disease investigations and, in turn, discharge its duty to control and prevent the spread of disease, it is necessary for the Department and local health officers to receive records from administrators regarding individuals who are ill, infected or suspected of being infected with reportable diseases as well as outbreaks and suspected disease outbreaks within their facilities, including personally identifiable and/or protected health information (PHI) regarding staff, students, clients and campers. To this end, the Department’s rules, namely N.J.A.C. 8:57-1.4, 1.5 and 1.6, outline the requirements for administrators to report to their local health officers and the Department information related to reportable diseases found within their facilities, including the names of affected individuals, date of onset of illness, number ill, and any other information that may be requested by the health officer or the Department. The information received is used solely for public health investigations authorized by law and is maintained as confidential, in accordance with all applicable laws.

Pursuant to the above, the Department expects administrators to fully cooperate with the Department and their local health officers when an individual who is ill, infected or suspected of being infected with a reportable disease or an outbreak or suspected outbreak is detected within their facilities by fulfilling their reporting obligations.

Please note that failure to report information as required by N.J.A.C. 8:57 may result in the Department pursuing an enforcement action against the facility and/or administrator, in accordance with N.J.A.C. 8:57-1.15.