



JOHNSON COUNTY

Medical Examiner Department
Marcus Nashelsky, M.D., Medical Examiner
Michael Hensch, Administrator

A Clarification of HIPAA Regulations Regarding the Provision of Protected Healthcare Information to Medical Examiners

The Health Insurance Portability and Accountability Act (HIPAA) was enacted in 1996. One purpose of the regulations is to protect the privacy of patient information. An unintended consequence of this has been that some healthcare providers are uncertain about with whom they may legally share information.

There is in the Act a specific exemption which allows medical examiners access to patient medical records. Listed below is the HIPAA exemption that permits the sharing of protected healthcare information with medical examiners without restriction:

45 CFR 164.512(g) Standard: Uses and disclosures about decedents

(1) Coroners and medical examiners. A covered entity may disclose protected health information to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized by law. A covered entity that also performs the duties of a coroner or medical examiner may use protected health information for the purposes described in this paragraph.

To confirm this, please refer to the Code of Federal Regulations, Title 45: Public Welfare §164.512(g), found through this [link](#), or at www.ecfr.gov.

In most cases, the Johnson County Medical Examiner Department requests patient information to learn of relevant past medical history. This is essential as the Johnson County medical examiners and medical examiner investigators strive to correctly identify the cause of death in each case within our jurisdiction.

We hope that this clarification will benefit your office in its application of HIPAA. We thank you for allowing us access to the healthcare information of decedents during the course of death investigations. Please call our office at (319) 339-6197 if you have any questions.