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DEPARTMENT OF HEALTH & HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES
REGION IX

75 Hawthorne Street
Suite 408
San Francisco, CA 94105

June 4, 2002

TO: All Organ Procurement Organizations

There have been many questions regarding the applicability of HIPAA to organ donation and transplantation activity.

For clarification, you will find enclosed the HIPAA rule, and in specific section 164.512, Uses and disclosures for which consent, an authorization, or opportunity to agree or object is not required (pages 30 to 24). On page 34, at (h) Standard: Uses and disclosure for cadaveric organ, eye or tissue donation purposes, there is additional explanation of the exception.

Please let me know if you have any questions or need additional assistance.

Sincerely yours,

Esther-Marie Carmichael, MT(ASCP), PHM, CLS
Western Consortium OPO Coordinator