



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

April 1, 2020

Re: Waiver of SHIN-NY Written Consent During COVID-19 Outbreak for Federal Alternate Site Hospitals

Dear SHIN-NY QEs and QE Participants:

New York has declared a public health emergency to combat the COVID-19 pandemic. The fast-moving and highly infectious virus has created a need to more than double hospital capacity in the State. New York has responded by designating alternate care sites including the conversion of the Jacob Javits Center and the utilization of USNS Comfort. These sites will be operated by the US Department of Health and Human Services. It is imperative that these sites have patients' medical histories to provide necessary treatment.

To facilitate timely access when needed to provide medical care, written patient consent for medical information will not be required. Additionally, these facilities will not be required to sign a participation agreement with a QE in order to access the SHIN-NY.

The following procedures shall be adhered to for these waivers:

1. QEs shall monitor and report on access under these waivers.
2. The use and disclosure of patient health information will be limited to uses and disclosures permitted by HIPAA without a written HIPAA authorization.
3. Training will be provided to QE users at these sites.
4. These waivers shall be temporary and shall end upon declaration by the Governor that the State of Emergency has been lifted or the federally operated care sites cease operations.

The complete SHIN-NY regulations can be found here: https://www.health.ny.gov/technology/regulations/shin-ny/docs/privacy_and_security_policies.pdf and questions concerning this or other policies can be sent to shin-ny@health.ny.gov.