



The logo for the Rocky Mountain Tribal Leaders Council Epidemiology Center features a central shield with a purple cross, surrounded by stylized mountains and a river. The text "Rocky Mountain Tribal Leaders Council" is arched above the shield, and "Epidemiology Center" is arched below it.



Surrounding the central logo are several tribal logos, including: Little Shell Tribe, Eastern Shoshone Tribe, Ft. Peck Tribes, Crow Tribe, and others.



The Johns Hopkins Bloomberg School of Public Health logo is located in the bottom left corner of the slide.

ETHICS OF CONTACT TRACING

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ROCKY MOUNTAIN TRIBAL LEADERS COUNCIL/
EPIDEMIOLOGY CENTER

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OVERVIEW OF HEALTH INFORMATION PRIVACY/SECURITY

Privacy is the right of a person to be free from intrusion or publicity concerning personal matters

- ▶ **In other words, everyone has the right to keep their personal life personal**

Examples of private information that may be discussed during contact tracing:

- ❖ *Who lives in your house with you?*
- ❖ *With whom have you spent time in the past week?*
- ❖ *Where have you gone in the past week?*
- ❖ *How much time did you spend with people in your home and outside your home?*

▶ A contact tracer can:

- ask about private information **ONLY** for the purposes of contact tracing
- use the private information provided **ONLY** for contact tracing purposes



HEALTH INFORMATION PRIVACY AND CONFIDENTIALITY

Confidentiality is the right of an individual to have personal, identifiable medical information kept private and not released without his/her/their consent

- ▶ **In other words, your medical information cannot be shared with anyone else unless you agree to it—but your COVID-19 test results can be shared to protect public health**

Examples of confidential information that will be discussed during case investigations and contact tracing:

- ❖ *Other health conditions the case or contact may have*
 - ❖ *Results from the COVID-19 test*
- ▶ A contact tracer can learn **ONLY** about medical information **that is relevant to contact tracing** and can use it **only for contact tracing purposes**

HEALTH INFORMATION PRIVACY AND CONFIDENTIALITY

Justice means to act to treat an individual justly or fairly (meaning everyone should be treated the same way independent of race, ethnicity, creed, socioeconomic background, sexual orientation, or gender)

- ▶ **In other words, everyone must receive the same treatment, regardless of who they are**

Examples of justice in contact tracing:

- ❖ *Contact tracers will attempt to find all cases and contacts, regardless of religion, race, or sexual orientation*
- ❖ *All communities, regardless of wealth, should have contact tracing efforts to reduce transmission*

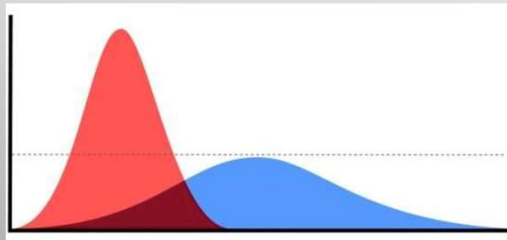
PUBLIC GOOD

A **public good** is anything that benefits or provides for the well-being of the public

► **In other words, it is something that benefits everyone in the society**

Contact tracing programs are a public good because ...

- ❖ They can reduce the risk to the public of being infected
- ❖ They can reduce illness and deaths from COVID-19



BALANCING PUBLIC GOOD WITH PRIVACY, AUTONOMY, AND CONFIDENTIALITY

Contact tracing programs are a public good because they reduce the risk to the public from COVID-19

- ▶ We must balance this good for society with rights of privacy, confidentiality, and autonomy

Public safety



Requesting private information

THE THREE LEGAL “TESTS” FOR A PUBLIC HEALTH INTERVENTION

For a public health intervention to be able to limit the rights of individuals to privacy or autonomy, it must meet three “tests” or criteria:

- 1. The intervention must be respectful of individuals and their rights*
- 2. It must be a benefit to society that is balanced with the limits on individuals*
- 3. It must benefit all members of society*



LEGAL BASIS FOR CONTACT TRACING

The legal authority to conduct public health interventions is included in the US Constitution and state constitutions

- ❖ *There are clauses to "protect the public welfare"*
- ❖ *Common law and general principles also apply*

▶ Examples of other public health interventions to protect welfare:

- ❖ *We require children to receive vaccinations to attend school and to protect the community's public health and safety*
- ❖ *If you have tuberculosis and refuse to take your medication, you can be required to do so by the health department, so you do not infect others*



RESPECT FOR PRIVACY AND CONFIDENTIALITY DURING CONTACT TRACING

- ▶ Assure cases and contacts that the information provided will be **confidential** and used **ONLY** for the public health investigation and will not be shared with anyone else
- ▶ Assure cases and contacts that the information will be kept **private**—contacts identified will be told that they have been exposed, but they will not be told who the case is



EXAMPLE: WHEN A CASE TELLS YOU PRIVATE INFORMATION—ANSWERS

- ▶ Should you list his girlfriend as a contact?
 - ❖ *Yes, she has been exposed and should be notified and asked to quarantine*
 - ❖ *Her exact relationship is not important.*

- ▶ Should you tell his wife about his girlfriend?
 - ❖ *No, this is private information, and you are not allowed to disclose this to anyone*



EXAMPLE: WHEN YOU HEAR PRIVATE INFORMATION ABOUT SOMEONE YOU KNOW—SITUATION

- ▶ During an interview with a COVID-19 case, he tells you about the people that he had contact with at a party, and some of those people went to high school with your younger brother
- ▶ You are alarmed that there could be people with COVID-19 in your community



EXAMPLE: WHEN YOU HEAR PRIVATE INFORMATION ABOUT SOMEONE YOU KNOW—QUESTION

- ▶ Should you warn your younger brother not to have contact with his friends?
 - ❖ *No, you cannot disclose any private information you learn during contact tracing, even to your family members or friends*





HIPAA : [HTTPS://WWW.YOUTUBE.COM/WATCH?V=OAJIXN9RQO4](https://www.youtube.com/watch?v=OAJIXN9RQO4)



Rocky Mountain
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Questions?



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