



September 30, 2021

OCR Issues Guidance on HIPAA, COVID-19 Vaccinations, and the Workplace

Today, the U.S. Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) issued guidance to help the public understand when the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule applies to disclosures and requests for information about whether a person has received a COVID-19 vaccine.

The guidance reminds the public that the HIPAA Privacy Rule does not apply to employers or employment records. This is because the HIPAA Privacy Rule only applies to HIPAA covered entities (health plans, health care clearinghouses, and health care providers that conduct standard electronic transactions), and, [in some cases, to their business associates](#).

Today's guidance addresses common workplace scenarios and answers questions about whether and how the HIPAA Privacy Rule applies. This information will be helpful to the public as we continue to navigate the COVID-19 pandemic.

"We are issuing this guidance to help consumers, businesses, and health care entities understand when HIPAA applies to disclosures about COVID-19 vaccination status and to ensure that they have the information they need to make informed decisions about protecting themselves and others from COVID-19," said OCR Director Lisa Pino.

The Guidance on HIPAA, COVID-19 Vaccinations, and the Workplace may be found at <https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/hipaa-covid-19-vaccination-workplace/index.html>.

###