



April 20, 2020

Police Chiefs of Tennessee:

At the request of Governor Lee, the Tennessee Department of Health (Health) is prepared to share certain protected health information with you to enable your office to best respond to the unique challenges that COVID-19 presents to our law enforcement community. Governor Lee and Health believe that sharing this information with you will enable your officers and employees to protect themselves and individuals in your custody from the community spread of COVID-19, among other benefits to the public health, safety, and welfare.

Health has a list of names and addresses of people in Tennessee who have tested positive or are receiving treatment for COVID-19. Health will make that list available to you and send you an updated version of the list each day, provided that your office has entered into a Memorandum of Understanding (MOU) with Health. By entering into the MOU with Health, you will be able to alert your officers and protect your incarcerated population.

You may only disclose the identity of someone on the list to an officer or employee who needs that individual's information for the express purposes described in the MOU. You must alert officers and employees of their obligations to keep such information confidential. You must instruct officers and employees that they may not provide inferior service or responsiveness to an individual appearing on the list. If you suspect an officer or employee may be providing inferior service or responsiveness to an individual appearing on the list, please immediately contact Health at 615-532-5895.

The information provided on each daily list is highly confidential protected health information subject to HIPAA. You may use this information only for the limited purpose described in the MOU. You may not re-distribute the entire list or distribute any information on the list to any person outside your office. For example, you may not disclose this information to other local elected officials, the media, or anyone making a public records request.

Given the highly confidential nature of this information, the MOU includes instructions for safeguarding and eventually destroying this information. Health will continue to provide daily lists to you through the duration of the state of emergency for COVID-19.


Governor Lee encourages each of you to enter into the MOU with Health to allow your officers and employees to protect themselves by having the information Health is providing. I have enclosed the MOU bearing my signature on behalf of Health. In order to fully execute this MOU and begin receiving the daily lists, you must fill in the blanks with the name of your office, date the MOU, and complete the signature block. **You are responsible for determining what internal processes must be followed in order for**

you to execute this MOU in accordance with applicable law, and we strongly recommend that you consult with your county attorney prior to signing this MOU.

Once your office has fully executed the MOU, please email Health the executed copy at Alexa.Witcher@tn.gov. **The email address from which Health receives your executed MOU will be the same email address to which Health sends the daily lists.** Therefore, if you would like to receive each daily list personally, please submit the executed MOU from your own email address. In order to manage volume and information flow, Health will send the daily list to **only one** email address within your office. **Your office will not be eligible to receive any data until we have received the executed MOU from your office.**

Health is eager to support Governor Lee and our law enforcement community in the fight against COVID-19. I hope you will join our efforts.

Regards,



Valerie Nagoshiner
Chief of Staff