



University Ethics and Compliance

**DATE:** April 1, 2020

**SUBJECT:** Guidance for protecting personal privacy during COVID-19

Many members of the Rutgers community have begun asking questions about coronavirus cases at Rutgers. Even though most Federal and State privacy requirements have not been suspended under COVID-19, some requirements related to sharing data *for clinical purposes* have been eased. Privacy rules related to general communications have not changed. It is important to remember that protecting personal privacy is very important, and we should continue to follow privacy policies, rules, and regulations. Please refer to the guidance below to help you respond to questions that you may receive. Please contact [privacy@uec.rutgers.edu](mailto:privacy@uec.rutgers.edu) for further guidance.

**If I am aware of a specific COVID-19 case among my staff members or an employee discloses that they have been in contact with an infected individual, what should I do?**

You should contact Occupational Health to obtain guidance about the process for notifying other Rutgers units or personnel with whom the employee had contact. Following communication with Occupational Health, your staff will likely ask for additional information. In any conversation about a specific case:

- Avoid identifying the infected employee by name.
- Avoid making any direct or indirect references that would lead other employees to guess the identity of the affected individual.
- Remind employees that discrimination or harassment against individuals that are suspected to have tested positive for, or been exposed to, coronavirus is prohibited.

**If I am asked whether an employee or student has tested positive for COVID-19, how should I respond?**

If your unit has had a confirmed case, you can respond by saying, "I can confirm that an individual has tested positive for COVID-19, but to protect privacy, I cannot tell you the individual's name."

**How should I respond to a general inquiry related to someone at Rutgers who may have tested positive for COVID-19?**

If the inquiry relates to an employee by name, please refer the person asking the question to contact that person for more information, for example, "If you want to know whether X has COVID-19, you should ask X." For general inquiries about whether any individual has been infected, it is appropriate to respond by saying, "An individual [at Rutgers or in a unit] has tested positive for COVID-19, but to protect privacy, I cannot tell you the name. Our process at Rutgers includes directly contacting individuals likely to have been in close proximity with the infected individual so that they may receive appropriate care."

**My employees are concerned that they might have been in close contact with an individual at Rutgers who might have COVID-19. How should I respond?**

It is appropriate to respond, "An individual was confirmed positive with COVID-19. That individual was physically present in [specify locations] during the last [14 days]. If you are experiencing symptoms or think you may have been in close contact with an infected individual, contact Occupational Health or see your primary healthcare provider. Occupational Health will contact you directly if it is likely that you were in contact with an infected employee."

*Advisory, Consultative, and Deliberative*