



# Digital Partner Services: Ethical and Legal Considerations

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Division of STD Prevention

Centers for Disease Control and Prevention

NIPS

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# Topics to be covered

- Rules and regulations
- Best practices
- CDC support

# What are partner services?

**“Partner services’ are offered to people with STDs, to their partners, and to other people who are at increased risk for infection in an effort to prevent transmission of these diseases and to reduce suffering from their complications.**

**The historical focus was to identify and locate the sexual contacts of infected people and other people at risk for behavioral or other factors – ‘contact tracing’ – and then refer them for care and treatment, as appropriate.”**

# What are digital partner services?



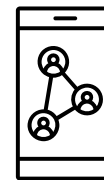
**What are digital partner services?**

# Partner services

What are digital partner services?

# Partner services

(using technology)



# Medium doesn't matter

- Rules around authorized activities, ethics, privacy, etc. still hold true regardless of the medium
- Refer to state's public health authority for authorized and required activities
- Refer to state and federal law for confidentiality rules

## Refer to state's public health authority

- Know and follow your state laws regarding communicable disease investigation/partner services
- Seek advice from your legal counsel
- Higher levels of management should work with legal counsel to determine how HD staff can execute their statutory duty



# HIPAA (Health Insurance Portability and Accountability Act)

- Prohibits healthcare providers and other “covered entities” from disclosing protected information to anyone other than a patient without consent
  - Does not restrict patients from receiving information about themselves
- There is a public health carve out... although some health departments are covered entities
  - Health department staff should encourage those in higher levels of management to determine if state health departments have filed with HHS as a covered entity
- Though even when states are covered entities, public health disclosures are very permissive

# Best Practices


- Establish internal procedures for safeguarding personal information
- Take necessary precautions to protect the identity of original patients and named partners
  - E.g. log out of dating apps after every session, use unambiguous language to obtain consent from a partner to share information over their medium of choice
- Assume that any dating app, social networking site, or website is retaining every message and photo ever sent, even if deleted (e.g. Snapchat has kept every picture that has ever been sent over its system)

**What does CDC support?**



# CDC supports the use of technology for partner services

2005



DEPARTMENT OF HEALTH & HUMAN SERVICES  
Public Health Service  
Centers for Disease Control and Prevention

September 13, 2005

Dear Colleague:

The Internet is becoming an important venue for meeting sex partners and planning participation in risky sexual behavior. This letter is to alert you to the risk behaviors associated with Internet use, the intervention potential of the Internet, and to encourage you to consider exploring the Internet as a potential venue for disease-control efforts.


Numerous reports indicate that the Internet has become one of the most popular venues for meeting sex partners among men who have sex with men (MSM). A study from Denver in 2000 showed that about 16% of clients presenting for HIV testing had sought sex partners online. Among California MSM with primary or secondary syphilis, the Internet is one of the two most frequently reported venues for meeting sex partners. Clusters in Chicago, Florida, Boston, Kentucky, and other central and east-coast areas indicate that the problem is widespread, and not limited to any one geographic area. At the same time, the popularity of bars, sex clubs, and bathhouses has not diminished, suggesting that the Internet may be contributing to an overall increase in sexual activity among MSM. In addition, increasing evidence also confirms that other populations such as youth, women, transgender individuals, and couples seeking couples use the Internet for connecting with sex partners. On a larger scale, the Internet is used to advertise or promote sex parties, circuit parties, "traves," public or commercial sex venues, and local prostitution.

Online sex venues include chat rooms, bulletin boards, and more private communications such as electronic mail and text- or instant-messaging. Some web sites are organized for the specific purpose of facilitating unprotected anal sex or other behaviors that put people at risk for STD/HIV. Often, partnerships formed online are one-time, anonymous sexual encounters, presenting challenges for partner elicitation, notification, and treatment efforts.

Adapting current disease-control and health-promotion activities to the Internet environment is a critical step for public health agencies. The National Coalition of STD Directors (NCSD) is conducting a needs assessment to identify barriers to the implementation of Internet-based STD/HIV prevention and is developing a compendium of Internet protocols and procedures from their constituent program areas and partners. Both the needs assessment and the compendium will be the basis for consultation meetings aimed at generating guidance for the conduct of STD/HIV prevention on the Internet. As online prevention programs are initiated, it will be important to incorporate both process and outcomes evaluation plans.

As this technology continues to evolve, it is clear that STD/HIV prevention programs must also evolve. Given the continued high rates of multiple STD among MSM, it is particularly important to focus online disease-prevention and health-promotion efforts on this population. Some early efforts to implement online partner notification and outreach have shown promise, though few have been evaluated rigorously. Some promising, Internet-based, programmatic efforts are described below.

2010



DEPARTMENT OF HEALTH & HUMAN SERVICES  
Public Health Service  
Centers for Disease Control and Prevention

July 13, 2010

Dear Colleague,

In 2005, the Division of STD Prevention and the Division of HIV/AIDS Prevention jointly sent a [Dear Colleague letter](#) addressing the Internet as an emerging risk venue and encouraging the integration of the Internet into STD and HIV prevention efforts. This letter is to again encourage public health programs to adopt and incorporate using the Internet and other emerging technologies into STD and HIV prevention efforts and to call your attention to available resources. CDC resources can and should be used to support internet based partner services as part of comprehensive STD prevention programs.

The CDC strongly supports the use of the internet for partner services and will be actively tracking the uptake, delivery and quality of internet partner services efforts. In support of this effort, the CDC has collaborated with the National Coalition of STD Directors (NCSD) to develop and distribute a [set of national guidelines](#) for conducting Internet-based STD and HIV prevention. These guidelines contain three sections: 1) online partner notification, 2) online outreach, and 3) online health communications. The guidelines can assist jurisdictions in developing and/or enhancing their Internet-based activities. All three sections of *National Guidelines for Internet-based STD and HIV Prevention* are available on the NCSD website ([www.ncstdc.org](http://www.ncstdc.org)).

In addition, examples of jurisdiction-specific guidelines for Internet-based work and other valuable STD prevention resources can be found on STD Prevention Online, the STD prevention professional networking site, ([www.STDPreventionOnline.org](http://www.STDPreventionOnline.org)). Programs are strongly encouraged to use these two resources to develop protocols for internet-based partner services.

Specifically, programs should seek to ensure access to sites where sex seeking occurs, which includes traditional sex-seeking sites such as Match.com and Adam4Adam but also include social networking sites such as MySpace, Craigslist and Facebook. To gain access, programs should be proactive in working with local IT departments and educating decision makers about the importance of partner services and how programs can efficiently address disease transmission and acquisition utilizing today's technology.

I encourage you to explore and use the Internet and other novel technologies for your STD prevention efforts. The Internet can no longer be considered an emerging venue; it is now just another venue through which risky behaviors can and are being facilitated. At the same time, it is a venue that STD and HIV prevention programs need to understand and use to meet the public where they are in order to provide education and help stem the spread of disease.

For questions about any of our new technology efforts, please contact Rachel Kachur ([RKachur@cdc.gov](mailto:RKachur@cdc.gov)).

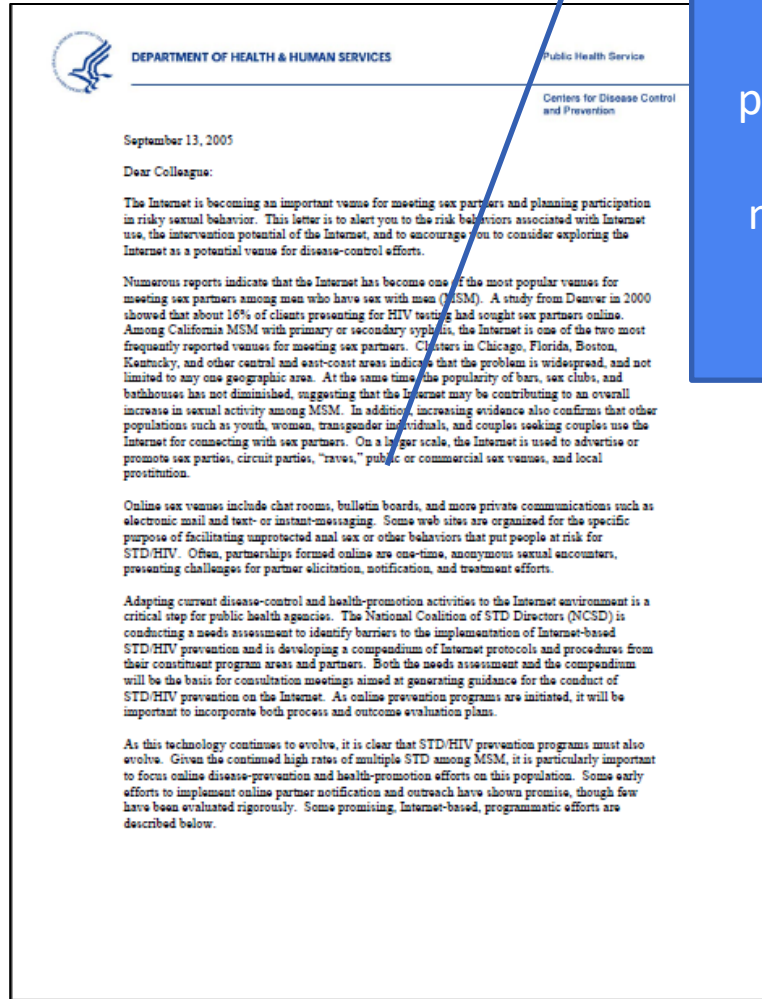
Sincerely,

/Cathleen M. Walsh/

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Director (Acting), Division of STD Prevention  
National Center for HIV/AIDS, Viral Hepatitis, STD and TB Prevention

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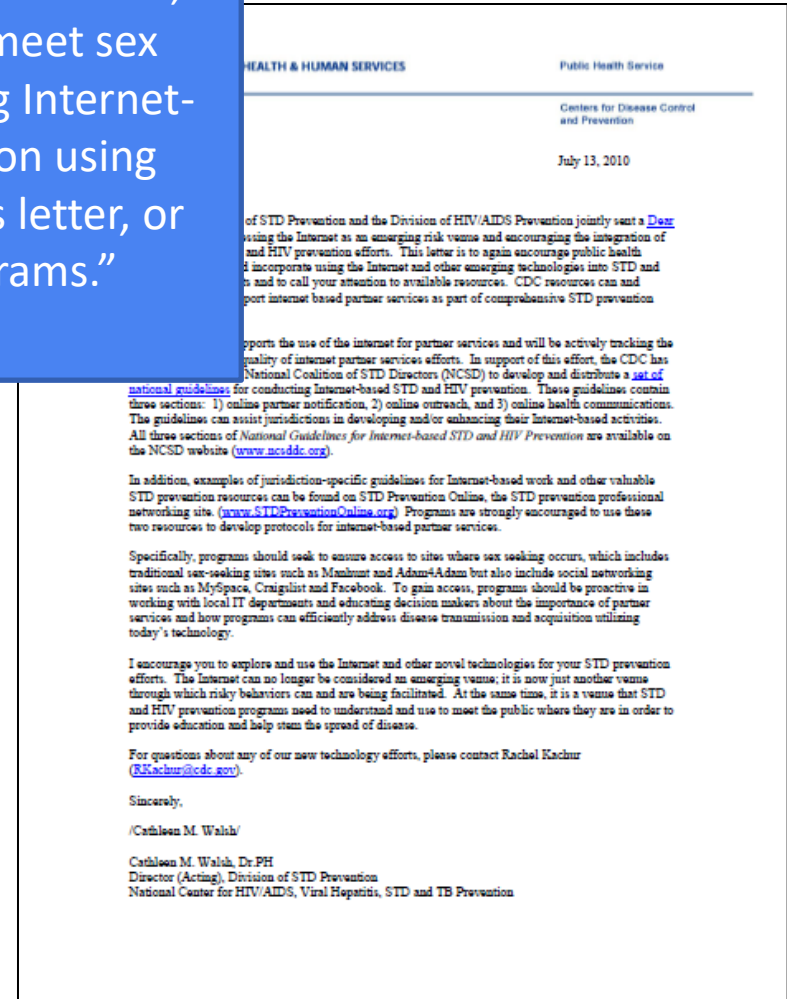
2005



“We encourage you to explore the contribution of the Internet to local epidemiology by (1) systematically identifying, during case interviews, venues where patients meet sex partners, and (2) exploring Internet-based STD/HIV prevention using methods described in this letter, or other innovative programs.”

# partner services

2010



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# Technology for partner services

2010

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# Technical Assistance and Other Resources

The screenshot shows the CDC website page for 'Introducing Technology into Partner Services: A Toolkit for Programs'. The page features a navigation menu on the left with sections like 'Table of Contents', 'Introductory Section', 'Cultural Understanding and Awareness', 'Internet Partner Services (IPS) Components', 'Documentation, Data Collection and Evaluation', 'IPS Staffing and Supervision', 'Summary', 'Glossary of Acronyms', 'Tables', and various appendices. The main content area includes an executive summary, a section for 'Ideas, Protocols, Questions?' with a link to 'Join the IPS NPIN Community', and a section for 'Need Technical Assistance?' with a link to 'See Technical Assistance for Technology-based Partner Services'. A large graphic with the text 'TECHNOLOGY-BASED PARTNER SERVICES' is also visible.

## [IPS Toolkit \(cdc.gov\)](https://www.cdc.gov/ips/)

The screenshot shows the landing page for the IPS Toolkit. It features a green ribbon icon in a black circle at the top left. The main heading is 'WELCOME!' followed by the text 'To an online introduction of the use of mobile apps for partner services.' Below this, there is a paragraph explaining that users will learn about shared features of social and sexual networking apps. At the bottom, there are two buttons: 'SIGN UP' and 'LOGIN'. On the right side, there is a large image of a hand holding a smartphone displaying a messaging app interface.

# CDC Supports Partner Services through Funding Opportunities



Strengthening STD Prevention and Control for Health Departments

- CDC DSTDP’s flagship prevention program funding
- Flexibility to engage in innovative disease investigation and intervention models, including the use of digital media and technology to improve program activities and services



# Take Home Messages

- Medium doesn't matter; rules still apply
- Refer to state's relevant public health authority
- Follow best practices

# Thank you!

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[rlk4@cdc.gov](mailto:rlk4@cdc.gov)

For more information, contact CDC  
1-800-CDC-INFO (232-4636)  
TTY: 1-888-232-6348 [www.cdc.gov](http://www.cdc.gov)

The findings and conclusions in this report are those of the authors and do not necessarily represent the official position of the Centers for Disease Control and Prevention.

