



THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1200

MAR 08 1996

MEMORANDUM FOR: SURGEON GENERAL OF THE ARMY
SURGEON GENERAL OF THE NAVY
SURGEON GENERAL OF THE AIR FORCE

SUBJECT: Request for Medical Records or Medical Information Concerning HIV-Positive Members

A continued high degree of attention can be anticipated from Congress, the media and interested groups and individuals concerning the recently enacted requirement to separate HIV-positive members from the military.

Please communicate to all military medical treatment facility (MTF) commanders a reminder of the strong DoD policy of protecting the confidentiality of medical records and medical information. Under the Privacy Act, the release of medical or other personal information outside DoD is generally prohibited.

With respect to any request for medical or other personal records or information, if there is a basis under applicable law and regulations to consider release of protected records or information, MTF commanders should be instructed to first coordinate, through the Surgeon General, with my office. This will assure proper consultation with the Freedom of Information, Privacy and counsel offices.

Stephen C. Joseph, M.D., M.P.H.

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