



Mandated Reporting of Autism Spectrum Disorder (ASD) By Licensed Professional Clinical Counselors

The reporting of ASD will help inform policy and practices that can improve services and supports for people with ASD.

The North Dakota Department of Health (NDDoH) recently launched a state mandated Autism Spectrum Disorder database. The purpose of the database is to conduct epidemiologic studies, enable research and analysis, and provide services to individuals diagnosed with ASD.

According to North Dakota Century Code 23-01-41 and Administrative Code 33-03-34, ASD is a mandatory reportable condition and must be reported within 30 days of diagnosis, or if previously diagnosed, within 30 days of the first patient or client encounter with the reporter. Physicians, psychologists, and other health care professionals who are qualified by training and licensure or certification to make the diagnosis of ASD are mandatory reporters. A mandated reporter or the reporter's designee must report to the NDDoH any person who is a resident of North Dakota or whose parent/guardian is a resident of North Dakota, and is diagnosed with ASD based on the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM) criteria.

The ASD report form is available electronically with online submission or as a fillable PDF document (SFN 60804) that can be printed and returned to the NDDoH via mail or fax. The electronic version of the report form is the preferred method of submission. The ASD report form and other resource information is available at www.ndhealth.gov/cshs/autism.htm.

The Standards for Privacy of Individually Identifiable Health Information, otherwise known as the HIPAA Privacy Rule, contains a specific provision authorizing covered entities to disclose protected health information (PHI) as required by law. The HIPAA Privacy Rule also provides that PHI may be used and disclosed to public health authorities without the authorization from the individual or from the individual's parents/guardians for public health activities. Both of these provisions apply to the mandatory reporting of ASD. Although not required, reporters are encouraged to discuss reporting requirements for the database with individuals diagnosed with ASD or the parents/guardians of such individuals.

The NDDoH recognizes the importance of protecting the privacy and confidentiality of those individuals reported into the database. The NDDoH has taken the necessary precautions to help ensure that the collected information is safeguarded from unauthorized access or disclosure through the use of strict security measures.

Providers should report cases to the NDDoH by going to www.ndhealth.gov/cshs/autism.htm and filling out the ASD report form. For more information, contact Kodi Pinks, North Dakota Department of Health, at 701.328.4832.