

**From:** Adelson, Aaron  
**Sent:** Thu, 16 Feb 2023 15:56:35 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** RE: CDC media request-136170 Causes of death -Wonder search

Sort of, but we learned we can't see county level data if the cases are below three.

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Sent:** Thursday, February 16, 2023 7:19 AM  
**To:** Adelson, Aaron <aaron.adelson@9news.com>  
**Subject:** CDC media request-136170 Causes of death -Wonder search

**CAUTION - EXTERNAL EMAIL** - Please use caution opening attachments and never share your password.  
Send suspicious email to [infosec@tegna.com](mailto:infosec@tegna.com).

Hello Aaron,

Did you get the information you were looking for?

Regards,  
Bert Kelly  
CDC Media Office

**Inquiry Description:**

**From:** CDC Wonder Customer Support <[cwus@cdc.gov](mailto:cwus@cdc.gov)>  
**Sent:** Wednesday, February 15, 2023 8:38 PM  
**To:** Adelson, Aaron <[aaron.adelson@9news.com](mailto:aaron.adelson@9news.com)>  
**Cc:** Media (CDC) <[sohco@cdc.gov](mailto:sohco@cdc.gov)>  
**Subject:** RE: Wonder causes of death search - deaths due to complications of medical and surgical care

Hello,

Thank you for your question. Media representatives and journalists are encourage to contact CDC's Media Relations office at [www.cdc.gov/media](http://www.cdc.gov/media) or by email at [media@cdc.gov](mailto:media@cdc.gov) , for assistance with interpreting the statistics, or assistance with contacting subject matter experts at CDC.

To run a query for specific causes of death for deaths of US residents in years 2019 through the most recently available data by county, please see

[Provisional Mortality Statistics, 2018 through Last Month Request \(cdc.gov\)](https://www.cdc.gov/nchs/data/tables/provisional-mortality-statistics-2018-through-last-month-request).

Note that causes of death related to external causes of injury or sudden death, including the deaths classified with ICD-10 codes Y40 - Y84 , are not available for the 24 weeks prior to the last date of death's occurrence in the current data set, in order to allow for up to 6 months for review and revisions. These deaths are included, yet the specific causes of death classified with ICD-10 codes V01-Y89, R95 or R96 are not identified, instead these causes are temporarily recoded to 999 with the label "Data not shown due to 6 month lag to account for delays in death certificate completion for certain causes of death." In the January provisional mortality update for deaths occurring through December 17 as of January 2, 2023, the recodes for causes related to external injuries and sudden death affect deaths occurring in the 24 weeks from the week ending July 9, 2022 through the week ending December 17, 2022.

Please click the links below to run the following saved example queries for your topic of interest. To launch a saved vital statistics query, click twice:

- 1) click the link to arrive at the About page and read the Data Use Restrictions;
- 2) then click the "I Agree" button below the Data Use Restrictions to launch the query.

### **Deaths of US Residents since 2019 with Underlying Cause due to Complications of Medical and Surgical Care (Y40-Y84,Y88)**

#### **1. By urbanization categories for county of residence:**

<https://wonder.cdc.gov/controller/saved/D176/D325F951>

Note the different in death rates for urban and rural residents.

#### **1. By county of residence:**

<https://wonder.cdc.gov/controller/saved/D176/D325F950>

Note that mortality statistics are suppressed for many counties, due to less than 10 deaths.

#### **1. By underlying cause of death:**

<https://wonder.cdc.gov/controller/saved/D176/D325F947>

Listed by default in ICD-10 order. Click the down arrow in the Deaths column header to order the data with highest number of deaths at the top.

**1. By race:**

<https://wonder.cdc.gov/controller/saved/D176/D325F953>

**1. By Hispanic origin:**

<https://wonder.cdc.gov/controller/saved/D176/D325F954>

**1. By gender:**

<https://wonder.cdc.gov/controller/saved/D176/D325F955>

**Quick hints for using CDC WONDER:**

1. To compare data by county, pick one of the options for “County” in the “Group results by” list in section 1 on the Request Form tab. There are 2 possible offerings for provisional mortality statistics, the county of the decedent’s residence and the county of the death’s occurrence. To limit the query to deaths in selected counties, see section 2 on the Request Form tab.
2. To limit the time period for when the death occurred, see section 4 on the Request Form tab.
3. To limit the single principle cause of death, also known as the “underlying” cause of death, see section on the Request Form tab. The ICD-10 codes Y40-Y84 classify deaths due to complications of medical and surgical care. The range of codes for Y40 - Y84 are available in ICD-10 Codes list. This category is also available in the list for “113 Selected Causes of Death” with an additional ICD-10 code included: Y88. Y88 classifies deaths related to sequelae of medical care complications, including adverse effects and medical misadventures. Select the ICD-10 Codes list or the 113 Selected Causes lists using the round buttons at the top of section 6.

**Notes:**

- Deaths related to external causes of injury or sudden death: The provisional number of deaths and related statistics for external causes of injury (ICD-10 codes V01-Y89, R95 or R96) are not shown for the most recent 24 weeks prior to the final data in the provisional data, due to a 6-

month lag to account for delays in death certificate completion. *These deaths are included in the "all causes" statistics and the cause of death is temporarily categorized as "999" during the 24 week time period.*

- We expect to share the February provisional mortality soon, with deaths through January 21, 2023 as of February 5, 2023.
- Please use the "Suggested citation" displayed below the query results, which include the date of access and the web address.

Respectfully,

CDC WONDER Technical Support

**From:** Adelson, Aaron <[aaron.adelson@9news.com](mailto:aaron.adelson@9news.com)>  
**Sent:** Tuesday, February 14, 2023 12:18 PM  
**To:** CDC Wonder Customer Support <[cwus@cdc.gov](mailto:cwus@cdc.gov)>  
**Subject:** Wonder causes of death search

Is there a way to search for deaths with the codes Y40-Y84 for 2019-most recently available by county?

Aaron Adelson

Investigative Producer

Cell: (303) 253-1048

**From:** Johnson, Cardine (CDC/DDID/NCIRD/OD) (CTR)  
**Sent:** Thu, 16 Feb 2023 07:40:00 -0500  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** Issue (MIS-136170) Causes of death -Wonder search - NEW  
**Attachments:** image-2023-02-16-07-27-24-108.png

Inquiry **MIS-136170** has been created and assigned to **Kelly, Bert (CDC/OD/OADC)** .

[Mobile Link](#) | [Details](#)

**Reporter:** Aaron Adelson

**Organization:** [9News]

**Cell:** (303) 253-1048

**Email Address:** aaron.adelson@9news.com

**Subject:** Causes of death -Wonder search

**Deadline:** 2023-02-23 18:00:00.0

**Inquiry Description:**

**From:** CDC Wonder Customer Support <cwus@cdc.gov>  
**Sent:** Wednesday, February 15, 2023 8:38 PM  
**To:** Adelson, Aaron <aaron.adelson@9news.com>  
**Cc:** Media (CDC) <sohco@cdc.gov>  
**Subject:** RE: Wonder causes of death search - deaths due to complications of medical and surgical care

Hello,

Thank you for your question. Media representatives and journalists are encourage to contact CDC's Media Relations office at [www.cdc.gov/media](http://www.cdc.gov/media) or by email at [media@cdc.gov](mailto:media@cdc.gov) , for assistance with interpreting the statistics, or assistance with contacting subject matter experts at CDC.

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Note that mortality statistics are suppressed for many counties, due to less than 10 deaths.

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**1. By race:**

<https://wonder.cdc.gov/controller/saved/D176/D325F953>

**1. By Hispanic origin:**

<https://wonder.cdc.gov/controller/saved/D176/D325F954>

**1. By gender:**

<https://wonder.cdc.gov/controller/saved/D176/D325F955>

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2. To limit the time period for when the death occurred, see section 4 on the Request Form tab.
3. To limit the single principle cause of death, also known as the "underlying" cause of death, see section on the Request Form tab. The ICD-10 codes Y40-Y84 classify deaths due to complications of medical and surgical care. The range of codes for Y40 - Y84 are available in ICD-10 Codes list. This category is also available in the list for "113 Selected Causes of Death" with an additional ICD-10 code included: Y88. Y88 classifies deaths related to sequelae of medical care complications, including adverse effects and medical misadventures. Select the ICD-10 Codes list or the 113 Selected Causes lists using the round buttons at the top of section 6.

**Notes:**

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codes V01-Y89, R95 or R96) are not shown for the most recent 24 weeks prior to the final data in the provisional data, due to a 6-month lag to account for delays in death certificate completion. *These deaths are included in the "all causes" statistics and the cause of death is temporarily categorized as "999" during the 24 week time period.*

- We expect to share the February provisional mortality soon, with deaths through January 21, 2023 as of February 5, 2023.
- Please use the "Suggested citation" displayed below the query results, which include the date of access and the web address.

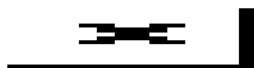
Respectfully,

CDC WONDER Technical Support

**From:** Adelson, Aaron <aaron.adelson@9news.com>  
**Sent:** Tuesday, February 14, 2023 12:18 PM  
**To:** CDC Wonder Customer Support <cwus@cdc.gov>  
**Subject:** Wonder causes of death search

Is there a way to search for deaths with the codes Y40-Y84 for 2019-most recently available by county?

Aaron Adelson  
Investigative Producer  
Cell: (303) 253-1048







211017

**From:** Tsai, Brian (CDC/DDPHSS/NCHS/OD)  
**Sent:** Tue, 28 Feb 2023 20:52:19 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** RE: ICD codes  
**Attachments:** Statement\_ICD10CM.docx

Hi Bert,

Our SME gave a very long answer so I tried to edit it as much as possible. It looks like (b)(5)  
(b)(5) Let me know if these statement works to answer. I also  
attached a word document with a comment.

(b)(5)

*Brian Tsai*

*Public Affairs Specialist  
Centers for Disease Control and Prevention  
National Center for Health Statistics  
3311 Toledo Road  
Hyattsville, MD 20782  
(301) 458-4800  
@NCHStats*

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Sent:** Tuesday, February 28, 2023 1:55 PM  
**To:** Tsai, Brian (CDC/DDPHSS/NCHS/OD) <xbg7@cdc.gov>  
**Subject:** RE: ICD codes

(Brian, for your review)

(b)(5)

**From:** O'Neil, Tyler <Tyler.ONeil@heritage.org>  
**Sent:** Monday, February 27, 2023 4:42:25 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <tgg5@cdc.gov>  
**Subject:** Re: ICD codes

Thanks, Nick!

Can you help me understand this, then? This statement to Reuters appears to contradict what you sent — CDC can analyze the codes, is not tracking individuals, and some non-HIPAA covered agencies have access to the codes. Would you clarify?

Bert Kelly, a CDC spokesperson, told Reuters that the agency can analyze ICD 10 code data on vaccination status, but the CDC and the National Center for Health Statistics (NCHS) “are not tracking individuals,” as the data is “analyzed without any personal identifiers.”

Some non-HIPAA covered agencies do have access to the ICD-10 codes, Burnett added, “but they are not associated with specific patient identifiers,” meaning they “won’t know what patient has which ICD-10 code.”

<https://www.reuters.com/article/factcheck-icd-track-unvaccinated-idUSL1N3511PG>

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Tyler O'Neil

*Managing Editor, The Daily Signal*  
The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
202-608-6046  
heritage.org

**From:** Spinelli, Nicholas (CDC/OD/OADC) <[tgq5@cdc.gov](mailto:tgq5@cdc.gov)>  
**Date:** Monday, February 27, 2023 at 3:05 PM  
**To:** Tyler O'Neil (Daily Signal) <[tyler.oneil@dailysignal.com](mailto:tyler.oneil@dailysignal.com)>  
**Subject:** ICD codes

Good afternoon,

Thanks for reaching out to CDC. The ICD codes were implemented in April 2022, however the CDC/NCHS does not have any data on the codes and will not be tracking this information. The codes are developed and managed by the World Health Organization to enable healthcare providers to track within their practices. Also, for some specialties the codes are used to track organ donors' ability to donate.

Nick Spinelli  
CDC News Media Branch

(b)(5)

**From:** Spinelli, Nicholas (CDC/OD/OADC)  
**Sent:** Tue, 14 Feb 2023 18:04:16 +0000  
**To:** Nordlund, Kristen (CDC/OD/OADC); Kelly, Bert (CDC/OD/OADC)  
**Subject:** Fwd: Issue (MIS-136139) COVID-19 Vaccine Classification System - NEW

Afternoon,

What was decided with the ICD codes?

Nick Spinelli  
CDC News Media Branch  
**From:** NMB Media Inquiry System (CDC) <misjira@cdc.gov>  
**Sent:** Tuesday, February 14, 2023 12:48 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>  
**Subject:** Issue (MIS-136139) COVID-19 Vaccine Classification System - NEW

Inquiry MIS-136139 has been created and assigned to **Spinelli, Nicholas (CDC/OD/OADC)**.

[Mobile Link](#) | [Details](#)

**Reporter:** Tyler O'Neil

**Organization:** [TheDailySignal]

**Phone:** (303)956-8499

**Cell:** (303) 956-8499

**Email Address:** tyler.oneil@dailysignal.com

**Subject:** COVID-19 Vaccine Classification System

**Deadline:** 2023-02-14 13:00:00.0

**Inquiry Description:**

Media Request: COVID-19 vaccine classification system  
This message was sent with High importance.  
Tyler O'Neil (Daily Signal) <tyler.oneil@dailysignal.com>

Media (CDC)

This is Tyler O'Neil, managing editor at The Daily Signal. I'm writing a story about the CDC's new ICD codes for codifying the reasons why Americans refuse to take the COVID-19 vaccine and would like to see if the CDC would respond to questions and criticism about this.

Since the WHO owns the ICD but the CDC has the ability to develop its own codes to some degree, to what degree did the CDC develop the new ICD codes for COVID-19 vaccine refusal? How does the CDC plan to use these codes? How does the CDC plan to protect Americans' private health information contained in the ICD system? Will the CDC confirm that it has not and will not create a database of Americans based on COVID-19 vaccination status? Would the CDC confirm that private companies do not have access to Americans' COVID-19 vaccination status through the ICD system?

I am working on an immediate deadline and would appreciate a prompt response. Any response will be included in the article, even if it comes after publication.

Best,  
Tyler O'Neil  
(303)956-8499

Tyler O'Neil  
Managing Editor, The Daily Signal  
The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
heritage.org

**From:** Spinelli, Nicholas (CDC/OD/OADC)  
**Sent:** Mon, 27 Feb 2023 21:56:28 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** Re: ICD codes

Nick Spinelli  
CDC News Media Branch  
**From:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>  
**Sent:** Monday, February 27, 2023 4:54:09 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <rmsy5@cdc.gov>  
**Subject:** Re: ICD codes

Thanks! fyi, he seems to have a bit of an attitude.

Nick Spinelli  
CDC News Media Branch  
**From:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>  
**Sent:** Monday, February 27, 2023 4:45:11 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <rmsy5@cdc.gov>  
**Subject:** Fwd: ICD codes

Hi Bert,  
Since he's quoting you now, I figured you might want to take a whack at it.

Nick Spinelli  
CDC News Media Branch  
**From:** O'Neil, Tyler <Tyler.ONeil@heritage.org>  
**Sent:** Monday, February 27, 2023 4:42:25 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>  
**Subject:** Re: ICD codes

Thanks, Nick!

Can you help me understand this, then? This statement to Reuters appears to contradict what you sent — CDC can analyze the codes, is not tracking individuals, and some non-HIPAA covered agencies have access to the codes. Would you clarify?

Bert Kelly, a CDC spokesperson, told Reuters that the agency can analyze ICD 10 code data on vaccination status, but the CDC and the National Center for Health Statistics (NCHS) "are not tracking individuals," as the data is "analyzed without any personal identifiers."  
Some non-HIPAA covered agencies do have access to the ICD-10 codes, Burnett added, "but they are not associated with specific patient identifiers," meaning they "won't know what patient has which ICD-10 code."

<https://www.reuters.com/article/factcheck-icd-track-unvaccinated-idUSL1N3511PG>

---



Tyle O'Neil

Reporter

*Managing Editor, The Daily Signal*

The Heritage Foundation

214 Massachusetts Avenue, NE

Washington, DC 20002

202-608-6046

heritage.org

**From:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>

**Date:** Monday, February 27, 2023 at 3:05 PM

**To:** Tyler O'Neil (Daily Signal) <tyler.oneil@dailysignal.com>

**Subject:** ICD codes

Good afternoon,

Thanks for reaching out to CDC. The ICD codes were implemented in April 2022, however the CDC/NCHS does not have any data on the codes and will not be tracking this information. The codes are developed and managed by the World Health Organization to enable healthcare providers to track within their practices. Also, for some specialties the codes are used to track organ donors' ability to donate.

Nick Spinelli

CDC News Media Branch

**From:** PAO Query (CDC)  
**Sent:** Thu, 16 Feb 2023 20:11:51 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Ok. Thanks. I'll close this one out.

Brian

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Sent:** Thursday, February 16, 2023 3:10 PM  
**To:** PAO Query (CDC) <paoquery@cdc.gov>  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Yes, we did.

Thx

**From:** PAO Query (CDC) <paoquery@cdc.gov>  
**Sent:** Thursday, February 16, 2023 12:04 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Forgot to ask. Did Kristen send out the response to this one?

Brian

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Sent:** Friday, February 10, 2023 3:43 PM  
**To:** PAO Query (CDC) <paoquery@cdc.gov>  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Kristen had the response but has not returned it to me yet. I just left her a message.

**From:** PAO Query (CDC) <paoquery@cdc.gov>  
**Sent:** Friday, February 10, 2023 2:05 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Any updates on these requests?

Brian

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Sent:** Monday, February 6, 2023 4:08 PM  
**To:** PAO Query (CDC) <paoquery@cdc.gov>  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Okay thanks. I will await any further input before forwarding to CMS.

bk

**From:** PAO Query (CDC) <paoquery@cdc.gov>  
**Sent:** Monday, February 6, 2023 3:56 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Hi Bert,

It looks like the reporter is mentioning a ICD-10-CM Coordination and Maintenance Committee Meeting from September 2021. The recordings of these meetings are publicly available.

I contacted one of our SME's in the ICD Classification Office and they mentioned that the codes were implemented in April 2022. [redacted (b)(5)] so I don't know [redacted (b)(5)]

The SME is going to reach out to their group [redacted (b)(5)]

[redacted (b)(5)]

Brian

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Sent:** Monday, February 6, 2023 2:59 PM  
**To:** PAO Query (CDC) <paoquery@cdc.gov>  
**Cc:** Tsai, Brian (CDC/DDPHSS/NCHS/OD) <xbg7@cdc.gov>  
**Subject:** FW: Reuters inquiry on ICD-10 Codes

Brian,

Bit of a sensitive request on this one. Reporter from Reuters asking about ICD-10 codes relative to tracking COVID vaccination status. Not sure if you can assist or if I should refer to others. Thoughts?

bk

**From:** An, Rosemary (Reuters) <Rosemary.An@thomsonreuters.com>  
**Sent:** Monday, February 6, 2023 10:32 AM  
**To:** Pauley, Scott (CDC/OD/OADC) <pvg2@cdc.gov>; Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Subject:** Reuters inquiry on ICD-10 Codes

Hello,

I hope this email finds you well! I was hoping either of you can help us in providing information about the ICD-10 codes for reporting vaccination status starting April 2022. I work on the Reuters Fact Check team, which works on clarifying or debunking dubious or misleading information circulating on social media.

We are investigating a claim on social media that “The Federal Government Is TRACKING Unvaccinated People Who Go To The Doctor and to the Hospital, Due to CDC-Designed Surveillance Program” for a potential story: <https://twitter.com/HowleyReporter/status/1620922064063574020> (screenshot attached). The post on social media leads to an article by the National File: <https://nationalfile.com/exclusive-the-federal-government-is-tracking-unvaccinated-people-who-go-to-the-doctor-and-to-the-hospital-due-to-cdc-designed-surveillance-program/?fbclid=IwAR22OTEykrLeyamMwSAKDYgQc2wNHpwO7wPiNmNvr5ZUK1kckFL9HaCBNhs>.

For context, the article shares a recording of what appears to be a CDC meeting in 2021 and frames a narrative that official organizations “quietly” implemented a surveillance program to track unvaccinated people. We are hoping to receive clarification on the following:

1. Is our understanding correct that the ICD-10 codes, specifically the ones proposed in page 194 of a CDC Topic Packet here: <https://www.cdc.gov/nchs/icd/sept2021-topicpacket.pdf>, are for diagnostic purposes to know if a person is at risk for severe outcomes? Are you able to explain the reasoning for the new codes in lay terms?
2. Under the proposal for the new ICD-10 codes (link above), it says “there is interest in being able to track people who are not immunized or only partially immunized.” Are you able to explain what it means by the word “track”?
3. What do the new codes, Z28.31, Z28.310, Z28.311 and Z28.39 mean, and how are they used in lay terms?
4. Why does the CDC or CMS need these codes?
5. Is there any surveillance program that tracks vaccination status?
6. Would you be able to confirm when the proposal was made, where it was published and link to any CDC release making the announcement around April 2022?
7. Is there any additional information or comment you can provide that may be helpful for the story?

For more information on the Reuters Fact Check team, please see <https://www.reuters.com/fact-check/about>.

Thank you in advance for your time,

**Rosemary An**  
Fact-Checking Producer, U.S.

[rosemary.an@thomsonreuters.com](mailto:rosemary.an@thomsonreuters.com)

**From:** An, Rosemary (Reuters)  
**Sent:** Thu, 16 Feb 2023 21:05:07 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** RE: CDC media request -136030 ICD-10 codes

Thank you so much, Bert, I appreciate your help and hope you have a great rest of your day!

Best,

**Rosemary An**  
Fact-Checking Producer, U.S.

[rosemary.an@thomsonreuters.com](mailto:rosemary.an@thomsonreuters.com)

**From:** Kelly, Bert (CDC/OD/OADC) <[msy5@cdc.gov](mailto:msy5@cdc.gov)>  
**Sent:** Thursday, February 16, 2023 4:04 PM  
**To:** An, Rosemary (Reuters) <[Rosemary.An@thomsonreuters.com](mailto:Rosemary.An@thomsonreuters.com)>  
**Subject:** [EXT] RE: CDC media request -136030 ICD-10 codes

**External Email:** Use caution with links and attachments.

Hi Rosemary,

Correct, we are not tracking individuals. You are also correct that the data can be analyzed without any personal identifiers.

Thx  
Bert

**From:** An, Rosemary (Reuters) <[Rosemary.An@thomsonreuters.com](mailto:Rosemary.An@thomsonreuters.com)>  
**Sent:** Thursday, February 16, 2023 3:25 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <[msy5@cdc.gov](mailto:msy5@cdc.gov)>  
**Subject:** RE: CDC media request -136030 ICD-10 codes

Hello Bert,

Many thanks for the response! Just to clarify, the CDC/NCHS is not tracking the information as in, there are no personal identifiers on the codes that can enable the CDC to track individuals, correct? Can the codes be used to monitor or analyze data without personal identifiers?

Best,

**Rosemary An**  
Fact-Checking Producer, U.S.

[rosemary.an@thomsonreuters.com](mailto:rosemary.an@thomsonreuters.com)

**From:** Kelly, Bert (CDC/OD/OADC) <[msy5@cdc.gov](mailto:msy5@cdc.gov)>  
**Sent:** Thursday, February 16, 2023 3:19 PM  
**To:** An, Rosemary (Reuters) <[Rosemary.An@thomsonreuters.com](mailto:Rosemary.An@thomsonreuters.com)>  
**Subject:** [EXT] CDC media request -136030 ICD-10 codes

**External Email:** Use caution with links and attachments.

Hello Rosemary,

Apologies for the delay. The ICD codes were implemented in April 2022, however the CDC/NCHS does not have any data on the codes and will not be tracking this information. The codes were created to enable healthcare providers to track within their practices. Also, for some specialties the codes are used to track organ donors' ability to donate.

Regards,  
Bert Kelly  
CDC Media Office

\*\*\*\*\*

CDC Media Request

\*\*\*\*\*

Reporter's Name: Rosemary An

Media Outlet: Reuters

Media Email: [rosemary.an@thomsonreuters.com](mailto:rosemary.an@thomsonreuters.com)

Questions for CDC:

We are investigating a claim on social media that “The Federal Government Is TRACKING Unvaccinated People Who Go To The Doctor and to the Hospital, Due to CDC-Designed Surveillance Program” for a potential story: <https://twitter.com/HowleyReporter/status/1620922064063574020> (screenshot attached). The post on social media leads to an article by the National File: <https://nationalfile.com/exclusive-the-federal-government-is-tracking-unvaccinated-people-who-go-to-the-doctor-and-to-the-hospital-due-to-cdc-designed-surveillance-program/?fbclid=IwAR22OTEykrLeyamMwSAKDYGqC2wNHpwO7wPiNmNvr5ZUK1kckFL9HaCBNhS>.

For context, the article shares a recording of what appears to be a CDC meeting in 2021 and frames a narrative that official organizations “quietly” implemented a surveillance program to track unvaccinated people. We are hoping to receive clarification on the following:

1. Is our understanding correct that the ICD-10 codes, specifically the ones proposed in page 194 of a CDC Topic Packet here: <https://www.cdc.gov/nchs/icd/sept2021-topicpacket.pdf>, are for diagnostic purposes to know if a person is at risk for severe outcomes? Are you able to explain the reasoning for the new codes in lay terms?
2. Under the proposal for the new ICD-10 codes (link above), it says "there is interest in being able to track people who are not immunized or only partially immunized." Are you able to explain what it means by the word "track"?
3. What do the new codes, Z28.31, Z28.310, Z28.311 and Z28.39 mean, and how are they used in lay terms?
4. Why does the CDC or CMS need these codes?
5. Is there any surveillance program that tracks vaccination status?
6. Would you be able to confirm when the proposal was made, where it was published and link to any CDC release making the announcement around April 2022?
7. Is there any additional information or comment you can provide that may be helpful for the story?

**From:** Pikes, Destney (CDC/OD/OADC)  
**Sent:** Tue, 14 Feb 2023 15:40:00 -0500  
**To:** Spinelli, Nicholas (CDC/OD/OADC)  
**Subject:** Issue (MIS-136098) COVID-19 ICD-9 Codes - Comment Added

**Comment added by:** Pikes, Destney (CDC/OD/OADC)

Comment:

- This is a Follow Up Email\*

**From:** Marisha GOLDHAMER <Marisha.GOLDHAMER@afp.com>  
**Sent:** Tuesday, February 14, 2023 3:24 PM  
**To:** Media (CDC) <sohco@cdc.gov>  
**Subject:** RE: Request for comment from AFP on ICD-codes

Hello,

I am following up on this request. Hoping to receive a comment before February 15 at 5pm.

Here are some specific questions I'm seeking to address:

- If a person who is not vaccinated against Covid-19 sought medical care for a broken arm, is there any reason a Z code related to their vaccination status would be entered?
- Are the codes that start Z28 only used if the doctor specifically offers a vaccine and the patient declines?
- When studies are conducted to try to determine health outcomes based on patients who may have been coded "Unvaccinated for Covid-19" (Z28.310) is that data anonymized?
- Is it accurate to characterize the use of these codes as a surveillance program?

Thank you,

Marisha Goldhamer

Verification and Social Media Editor, AFP

(202) 413-1579

**From:** Marisha GOLDHAMER  
**Sent:** Sunday, February 12, 2023 11:30 AM  
**To:** Media@cdc.gov  
**Subject:** Request for comment from AFP on ICD-codes



Hello,

I am a journalist with AFP on a team focused on medical misinformation circulating on social media.

Currently, thousands of Americans are engaging with posts warning that the US government is tracking and/or surveilling those who remain unvaccinated against Covid-19 via ICD-10 codes, specifically the Z codes created last year regarding Covid-19 vaccination status. Headlines include things like "EXPOSED: CDC's plot to track the unvaccinated" or "The Federal Government Is Tracking Unvaccinated People Who Go To The Doctor And To The Hospital Due to CDC-Designated Surveillance Program."

I'm seeking to write an article explaining what ICD-10 codes are, how they are used and why specific Z codes were created for Covid-19 vaccination status.

I was hoping a representative from your agency could speak on this topic on the record.

I'd like to help people understand when a code related to vaccination might be added to a patient's chart by a physician and how that information is protected as it relates to HIPPA and other measures in place to keep medical information private. I'd also be interested in your agency's response to the accusation that ICD-codes can be used as to surveil unvaccinated individuals.

I'd be happy to speak by phone or use a statement or answers to questions sent by email. Thanks in advance for your time and assistance.

-Marisha Goldhamer

Verification and Social Media Editor, AFP

(202) 413-1579

Reporter's Name: Marisha Goldhamer

Media Outlet: [AFPFactCheck]

Status: Opened

Deadline: 2023-02-14 17:00:00.0

Media Phone: 202-413-1579

Media Cell:

Media Email: Marisha.Goldhamer@afp.com

Background:

Questions for CDC:

Proposed response:

Request for comment from AFP on ICD-codes

Marisha GOLDHAMER <Marisha.GOLDHAMER@afp.com>

Media (CDC)

Hello,

I am a journalist with AFP on a team focused on medical misinformation circulating on social media.

Currently, thousands of Americans are engaging with posts warning that the US government is tracking and/or surveilling those who remain unvaccinated against Covid-19 via ICD-10 codes, specifically the Z codes created last year regarding Covid-19 vaccination status. Headlines include things like "EXPOSED: CDC's plot to track the unvaccinated" or "The Federal Government Is Tracking Unvaccinated People Who Go To The Doctor And To The Hospital Due to CDC-Designated Surveillance Program."

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I'd be happy to speak by phone or use a statement or answers to questions sent by email. Thanks in advance for your time and assistance.

-Marisha Goldhamer

Verification and Social Media Editor, AFP

(202) 413-1579

**From:** Pikes, Destney (CDC/OD/OADC)  
**Sent:** Tue, 14 Feb 2023 15:44:00 -0500  
**To:** Spinelli, Nicholas (CDC/OD/OADC)  
**Subject:** Issue (MIS-136098) COVID-19 ICD-9 Codes - Comment Added

**Comment added by:** Pikes, Destney (CDC/OD/OADC)

Comment:

- This is Another Follow Up Inquiry\*
- **From:** emailforms@cdc.gov <emailforms@cdc.gov>  
**Sent:** Tuesday, February 14, 2023 3:24 PM  
**To:** Media (CDC) <sohco@cdc.gov>  
**Subject:** Media Request Form

Reporter's Name  
Marisha Goldhamer

Media Outlet

Name: AFP

Website: <https://factcheck.afp.com/>

Media Channel: Print

Deadline

02/15/2023

5:00 PM

Eastern

Priority

Normal

Contact

Phone: 202 413 1579

Cell: 202 413-1579

Email: [marisha.goldhamer@afp.com](mailto:marisha.goldhamer@afp.com)

Topic: ICD-10 codes

Details: I am a journalist with AFP on a team focused on medical misinformation circulating on social media.

Currently, thousands of Americans are engaging with posts warning that the US government is tracking and/or surveilling those who remain unvaccinated against Covid-19 via ICD-10 codes, specifically the Z codes created last year regarding Covid-19 vaccination status.

Headlines include things like: "EXPOSED: CDC's plot to track the unvaccinated" or "The Federal Government Is Tracking Unvaccinated People Who Go To The Doctor And To The Hospital Due to CDC-Designated Surveillance Program."

I'm seeking to write an article explaining what ICD-10 codes are, how they are used and why specific Z codes were created for Covid-19 vaccination status.

I was hoping a representative from your agency could speak on this topic on the record.

Here are some specific questions I'm seeking to address:

- If a person who is not vaccinated against Covid-19 sought medical care for a broken arm, is there any reason a Z code related to their vaccination status would be entered?
- Are the codes that start Z28 only used if the doctor specifically offers a vaccine and the patient declines?
- When studies are conducted to try to determine health outcomes based on patients who may have been coded "Unvaccinated for Covid-19" (Z28.310) is that data anonymized?
- Is it accurate to characterize the use of these codes as a surveillance program?

I'd be happy to speak by phone or use a statement or answers to questions sent by email.

Thanks in advance for your time and assistance,

Marisha Goldhamer

Reporter's Name: Marisha Goldhamer

Media Outlet: [AFPFactCheck]

Status: Opened

Deadline: 2023-02-14 17:00:00.0

Media Phone: 202-413-1579

Media Cell:

Media Email: Marisha.Goldhamer@afp.com

Background:

Questions for CDC:

Proposed response:

Request for comment from AFP on ICD-codes  
Marisha GOLDHAMER <Marisha.GOLDHAMER@afp.com>  
Media (CDC)

Hello,

I am a journalist with AFP on a team focused on medical misinformation circulating on social media.

Currently, thousands of Americans are engaging with posts warning that the US government is tracking and/or surveilling those who remain unvaccinated against Covid-19 via ICD-10 codes, specifically the Z codes created last year regarding Covid-19 vaccination status. Headlines include things like "EXPOSED: CDC's plot to track the unvaccinated" or "The Federal Government Is Tracking Unvaccinated People Who Go To The Doctor And To The Hospital Due to CDC-Designated Surveillance Program."

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I'd be happy to speak by phone or use a statement or answers to questions sent by email. Thanks in advance for your time and assistance.

-Marisha Goldhamer  
Verification and Social Media Editor, AFP  
(202) 413-1579

**From:** Kelly, Bert (CDC/OD/OADC)  
**Sent:** Thu, 16 Feb 2023 20:07:07 +0000  
**To:** Pauley, Scott (CDC/OD/OADC)  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Yes.

Thx

**From:** Pauley, Scott (CDC/OD/OADC) <pvq2@cdc.gov>  
**Sent:** Thursday, February 16, 2023 2:45 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Subject:** Fwd: Reuters inquiry on ICD-10 Codes

Are you working this?

Scott Pauley  
Press Officer  
Division of Media Relations  
Centers for Disease Control and Prevention (CDC)  
1600 Clifton Road, NE, MS E-69, Atlanta, GA 30329  
Office: 404-718-3728  
Mobile: 404-661-2490  
[pvq2@cdc.gov](mailto:pvq2@cdc.gov)

**From:** An, Rosemary (Reuters) <[Rosemary.An@thomsonreuters.com](mailto:Rosemary.An@thomsonreuters.com)>  
**Sent:** Thursday, February 16, 2023 2:37:49 PM  
**To:** Pauley, Scott (CDC/OD/OADC) <[pvq2@cdc.gov](mailto:pvq2@cdc.gov)>; Kelly, Bert (CDC/OD/OADC) <[msy5@cdc.gov](mailto:msy5@cdc.gov)>  
**Cc:** Media (CDC) <[sohco@cdc.gov](mailto:sohco@cdc.gov)>  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Hello, following up on the below –

Please let us know if it is possible to receive a response on the claim circulating online that ICD-10 codes are used to track unvaccinated individuals. Thank you!

Best,

**Rosemary An**  
Fact-Checking Producer, U.S.

[rosemary.an@thomsonreuters.com](mailto:rosemary.an@thomsonreuters.com)

**From:** An, Rosemary (Reuters)  
**Sent:** Tuesday, February 7, 2023 3:14 PM  
**To:** [pvq2@cdc.gov](mailto:pvq2@cdc.gov); [msy5@cdc.gov](mailto:msy5@cdc.gov)  
**Cc:** [media@cdc.gov](mailto:media@cdc.gov)  
**Subject:** RE: Reuters inquiry on ICD-10 Codes

Hello, just checking in on the below –

Please let us know if it is possible to receive a response on this inquiry. Thank you!

Best,

**Rosemary An**  
Fact-Checking Producer, U.S.

[rosemary.an@thomsonreuters.com](mailto:rosemary.an@thomsonreuters.com)

**From:** An, Rosemary (Reuters)  
**Sent:** Monday, February 6, 2023 10:32 AM  
**To:** [pvq2@cdc.gov](mailto:pvq2@cdc.gov); [msy5@cdc.gov](mailto:msy5@cdc.gov)  
**Subject:** Reuters inquiry on ICD-10 Codes

Hello,

I hope this email finds you well! I was hoping either of you can help us in providing information about the ICD-10 codes for reporting vaccination status starting April 2022. I work on the Reuters Fact Check team, which works on clarifying or debunking dubious or misleading information circulating on social media.

We are investigating a claim on social media that “The Federal Government Is TRACKING Unvaccinated People Who Go To The Doctor and to the Hospital, Due to CDC-Designed Surveillance Program” for a potential story: <https://twitter.com/HowleyReporter/status/1620922064063574020> (screenshot attached). The post on social media leads to an article by the National File: <https://nationalfile.com/exclusive-the-federal-government-is-tracking-unvaccinated-people-who-go-to-the-doctor-and-to-the-hospital-due-to-cdc-designed-surveillance-program/?fbclid=IwAR22OTEykrLeyamMwSAKDYgQc2wNHpwO7wPiNmNvr5ZUK1kckFL9HaCBNhs>.

For context, the article shares a recording of what appears to be a CDC meeting in 2021 and frames a narrative that official organizations “quietly” implemented a surveillance program to track unvaccinated people. We are hoping to receive clarification on the following:

1. Is our understanding correct that the ICD-10 codes, specifically the ones proposed in page 194 of a CDC Topic Packet here: <https://www.cdc.gov/nchs/icd/sept2021-topicpacket.pdf>, are for diagnostic purposes to know if a person is at risk for severe outcomes? Are you able to explain the reasoning for the new codes in lay terms?

2. Under the proposal for the new ICD-10 codes (link above), it says “there is interest in being able to track people who are not immunized or only partially immunized.” Are you able to explain what it means by the word “track”?
3. What do the new codes, Z28.31, Z28.310, Z28.311 and Z28.39 mean, and how are they used in lay terms?
4. Why does the CDC or CMS need these codes?
5. Is there any surveillance program that tracks vaccination status?
6. Would you be able to confirm when the proposal was made, where it was published and link to any CDC release making the announcement around April 2022?
7. Is there any additional information or comment you can provide that may be helpful for the story?

For more information on the Reuters Fact Check team, please see <https://www.reuters.com/fact-check/about>.

Thank you in advance for your time,

**Rosemary An**

Fact-Checking Producer. U.S.

[rosemary.an@thomsonreuters.com](mailto:rosemary.an@thomsonreuters.com)



**From:** Tsai, Brian (CDC/DDPHSS/NCHS/OD)  
**Sent:** Tue, 28 Feb 2023 21:26:28 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** RE: ICD codes

Thanks.

Brian

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Sent:** Tuesday, February 28, 2023 4:19 PM  
**To:** Tsai, Brian (CDC/DDPHSS/NCHS/OD) <xbg7@cdc.gov>  
**Subject:** RE: ICD codes

Thanks Brian. Will let you know what we submit.

bk

**From:** Tsai, Brian (CDC/DDPHSS/NCHS/OD) <xbg7@cdc.gov>  
**Sent:** Tuesday, February 28, 2023 3:52 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Subject:** RE: ICD codes

Hi Bert,

Our SME gave a very long answer so I tried to edit it as much as possible. It looks like (b)(5)  
(b)(5) Let me know if these statement works to answer. I also  
attached a word document with a comment.

(b)(5)

(b)(5)

*Brian Tsai  
Public Affairs Specialist  
Centers for Disease Control and Prevention  
National Center for Health Statistics  
3311 Toledo Road  
Hyattsville, MD 20782  
(301) 458-4800  
@NCHStats*

**From:** Kelly, Bert (CDC/OD/OADC) <[msy5@cdc.gov](mailto:msy5@cdc.gov)>  
**Sent:** Tuesday, February 28, 2023 1:55 PM  
**To:** Tsai, Brian (CDC/DDPHSS/NCHS/OD) <[xbg7@cdc.gov](mailto:xbg7@cdc.gov)>  
**Subject:** RE: ICD codes

(Brian, for your review)

(b)(5)

Regards,  
Bert Kelly

CDC Media Office

**From:** O'Neil, Tyler <Tyler.ONeil@heritage.org>  
**Sent:** Monday, February 27, 2023 4:42:25 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <tgg5@cdc.gov>  
**Subject:** Re: ICD codes

Thanks, Nick!

Can you help me understand this, then? This statement to Reuters appears to contradict what you sent — CDC can analyze the codes, is not tracking individuals, and some non-HIPAA covered agencies have access to the codes. Would you clarify?

Bert Kelly, a CDC spokesperson, told Reuters that the agency can analyze ICD 10 code data on vaccination status, but the CDC and the National Center for Health Statistics (NCHS) “are not tracking individuals,” as the data is “analyzed without any personal identifiers.” Some non-HIPAA covered agencies do have access to the ICD-10 codes, Burnett added, “but they are not associated with specific patient identifiers,” meaning they “won’t know what patient has which ICD-10 code.”

<https://www.reuters.com/article/factcheck-icd-track-unvaccinated-idUSL1N3511PG>

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Tyler O'Neil

*Managing Editor, The Daily Signal*  
The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
202 608 6046  
heritage.org

**From:** Spinelli, Nicholas (CDC/OD/OADC) <tgg5@cdc.gov>  
**Date:** Monday, February 27, 2023 at 3:05 PM  
**To:** Tyler O'Neil (Daily Signal) <tyler.oneil@dailysignal.com>  
**Subject:** ICD codes

Good afternoon,

Thanks for reaching out to CDC. The ICD codes were implemented in April 2022, however the CDC/NCHS does not have any data on the codes and will not be tracking this information. The codes are developed and managed by the World Health Organization to enable healthcare providers to track within their practices. Also, for some specialties the codes are used to track organ donors' ability to donate.

Nick Spinelli  
CDC News Media Branch

**From:** Black, Bethanne (CDC/DDID/NCIRD/OD) (CTR)  
**Sent:** Mon, 13 Feb 2023 08:24:00 -0500  
**To:** Spinelli, Nicholas (CDC/OD/OADC)  
**Subject:** Issue (MIS-136098) COVID-19 ICD-9 Codes - NEW

Inquiry MIS-136098 has been created and assigned to **Spinelli, Nicholas (CDC/OD/OADC)** .

[Mobile Link](#) | [Details](#)

**Reporter:** Marisha Goldhamer

**Organization:** [AFPFactCheck]

**Phone:** 202-413-1579

**Email Address:** Marisha.Goldhamer@afp.com

**Subject:** COVID-19 ICD-9 Codes

**Deadline:** 2023-02-14 17:00:00.0

**Inquiry Description:**

**From:** Black, Bethanne (CDC/DDID/NCIRD/OD) (CTR)  
**Sent:** Mon, 13 Feb 2023 08:24:00 -0500  
**To:** Spinelli, Nicholas (CDC/OD/OADC)  
**Subject:** Issue (MIS-136099) COVID-19 ICD-9 Codes - NEW

Inquiry MIS-136099 has been created and assigned to **Spinelli, Nicholas (CDC/OD/OADC)** .

[Mobile Link](#) | [Details](#)

**Reporter:** Marisha Goldhamer

**Organization:** [AFPFactCheck]

**Phone:** 202-413-1579

**Email Address:** Marisha.Goldhamer@afp.com

**Subject:** COVID-19 ICD-9 Codes

**Deadline:** 2023-02-14 17:00:00.0

**Inquiry Description:**

**From:** Kelly, Bert (CDC/OD/OADC)  
**Sent:** Wed, 1 Mar 2023 16:50:48 +0000  
**To:** Nordlund, Kristen (CDC/OD/OADC)  
**Subject:** Re: ICD codes

Quite a long response, but it is comprehensive. Reporter's query is below the response. Let me know what you think we should send back to this reporter from Heritage Foundation.

bk

(b)(5)

**From:** O'Neil, Tyler <Tyler.ONeil@heritage.org>  
**Sent:** Monday, February 27, 2023 4:42:25 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>  
**Subject:** Re: ICD codes

Thanks, Nick!

Can you help me understand this, then? This statement to Reuters appears to contradict what you sent — CDC can analyze the codes, is not tracking individuals, and some non-HIPAA covered agencies have access to the codes. Would you clarify?

Bert Kelly, a CDC spokesperson, told Reuters that the agency can analyze ICD 10 code data on vaccination status, but the CDC and the National Center for Health Statistics (NCHS) “are not tracking individuals,” as the data is “analyzed without any personal identifiers.” Some non-HIPAA covered agencies do have access to the ICD-10 codes, Burnett added, “but they are not associated with specific patient identifiers,” meaning they “won’t know what patient has which ICD-10 code.”

<https://www.reuters.com/article/factcheck-icd-track-unvaccinated-idUSL1N3511PG>

---

Tyler O'Neil

*Managing Editor, The Daily Signal*  
The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
202 608 6046  
heritage.org

**From:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>  
**Date:** Monday, February 27, 2023 at 3:05 PM  
**To:** Tyler O'Neil (Daily Signal) <tyler.oneil@dailysignal.com>  
**Subject:** ICD codes

Good afternoon,

Thanks for reaching out to CDC. The ICD codes were implemented in April 2022, however the CDC/NCHS does not have any data on the codes and will not be tracking this information. The codes are developed and managed by the World Health Organization to enable healthcare providers to track within their practices. Also, for some specialties the codes are used to track organ donors' ability to donate.

Nick Spinelli  
CDC News Media Branch

**Sent:** Thu, 16 Feb 2023 20:12:29 +0000  
**To:** rosemary.an@thomsonreuters.com  
**Subject:** FW: CDC clearance request -136030 ICD-10 codes

Hello Rosemary,

\*\*\*\*\*

### CDC Clearance Request

\*\*\*\*\*

Reporter's Name: Rosemary An

Media Outlet: Reuters

Deadline: 2023-02-08 17:00:00.0

Media Email: [rosemary.an@thomsonreuters.com](mailto:rosemary.an@thomsonreuters.com)

Background: Email response only

Questions for CDC:

We are investigating a claim on social media that "The Federal Government Is TRACKING Unvaccinated People Who Go To The Doctor and to the Hospital, Due to CDC-Designed Surveillance Program" for a potential story: <https://twitter.com/HowleyReporter/status/1620922064063574020> (screenshot attached). The post on social media leads to an article by the National File: <https://nationalfile.com/exclusive-the-federal-government-is-tracking-unvaccinated-people-who-go-to-the-doctor-and-to-the-hospital-due-to-cdc-designed-surveillance-program/?fbclid=IwAR22OTEykrLeyamMwSAKDYgQc2wNHpwO7wPiNmNvr5ZUK1kckFL9HaCBNhS>.

For context, the article shares a recording of what appears to be a CDC meeting in 2021 and frames a narrative that official organizations "quietly" implemented a surveillance program to track unvaccinated people. We are hoping to receive clarification on the following:

1. Is our understanding correct that the ICD-10 codes, specifically the ones proposed in page 194 of a CDC Topic Packet here: <https://www.cdc.gov/nchs/icd/sept2021-topicpacket.pdf>, are for diagnostic purposes to know if a person is at risk for severe outcomes? Are you able to explain the reasoning for the new codes in lay terms?
2. Under the proposal for the new ICD-10 codes (link above), it says "there is interest in being able to track people who are not immunized or only partially immunized." Are you able to explain what it means by the word "track"?
3. What do the new codes, Z28.31, Z28.310, Z28.311 and Z28.39 mean, and how are they used in lay terms?



4. Why does the CDC or CMS need these codes?
5. Is there any surveillance program that tracks vaccination status?
6. Would you be able to confirm when the proposal was made, where it was published and link to any CDC release making the announcement around April 2022?
7. Is there any additional information or comment you can provide that may be helpful for the story?

Proposed response:

(b)(5)

**From:** Kelly, Bert (CDC/OD/OADC)  
**Sent:** Mon, 27 Feb 2023 21:48:07 +0000  
**To:** Spinelli, Nicholas (CDC/OD/OADC)  
**Subject:** RE: ICD codes

OK. Will see if we can get this reporter some answers.

bk

**From:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>  
**Sent:** Monday, February 27, 2023 4:45 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Subject:** Fwd: ICD codes

Hi Bert,

Since he's quoting you now, I figured you might want to take a whack at it.

Nick Spinelli  
CDC News Media Branch

**From:** O'Neil, Tyler <Tyler.ONeil@heritage.org>  
**Sent:** Monday, February 27, 2023 4:42:25 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>  
**Subject:** Re: ICD codes

Thanks, Nick!

Can you help me understand this, then? This statement to Reuters appears to contradict what you sent — CDC can analyze the codes, is not tracking individuals, and some non-HIPAA covered agencies have access to the codes. Would you clarify?

Bert Kelly, a CDC spokesperson, told Reuters that the agency can analyze ICD 10 code data on vaccination status, but the CDC and the National Center for Health Statistics (NCHS) "are not tracking individuals," as the data is "analyzed without any personal identifiers." Some non-HIPAA covered agencies do have access to the ICD-10 codes, Burnett added, "but they are not associated with specific patient identifiers," meaning they "won't know what patient has which ICD-10 code."

<https://www.reuters.com/article/factcheck-icd-track-unvaccinated-idUSL1N3511PG>

---

Tyler O'Neil

*Managing Editor, The Daily Signal*

The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
202 608 6046  
heritage.org

**From:** Spinelli, Nicholas (CDC/OD/OADC) <[tgq5@cdc.gov](mailto:tgq5@cdc.gov)>  
**Date:** Monday, February 27, 2023 at 3:05 PM  
**To:** Tyler O'Neil (Daily Signal) <[tyler.oneil@dailysignal.com](mailto:tyler.oneil@dailysignal.com)>  
**Subject:** ICD codes

Good afternoon,

Thanks for reaching out to CDC. The ICD codes were implemented in April 2022, however the CDC/NCHS does not have any data on the codes and will not be tracking this information. The codes are developed and managed by the World Health Organization to enable healthcare providers to track within their practices. Also, for some specialties the codes are used to track organ donors' ability to donate.

Nick Spinelli  
CDC News Media Branch

**From:** PAO Query (CDC)  
**Sent:** Tue, 28 Feb 2023 18:50:28 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** ICD 10 code questions

**From:** Berglund, David J. (CDC/DDPHSS/NCHS/OD) <zhc2@cdc.gov>  
**Sent:** Wednesday, February 8, 2023 3:21 PM  
**To:** PAO Query (CDC) <paoquery@cdc.gov>; Ramirez, Traci M. (CDC/DDPHSS/NCHS/OD) <tfr4@cdc.gov>  
**Cc:** Tsai, Brian (CDC/DDPHSS/NCHS/OD) <xbg7@cdc.gov>  
**Subject:** RE: FOX NEWS - request for comment

Hi Brian,

I will note that I earlier today received a separate email that appears to be from a reporter, and I will separately forward that to you, as I do not think that I am supposed to respond. I will here address the questions noted below, and will expand on related issues briefly below.

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I hope the above information is helpful for you in responding to these questions. Please let me know if you have further questions.

Best regards,

David Berglund, MD, MPH  
Medical Officer / Classification and Public Health Data Standards  
National Center for Health Statistics, Mailstop P08  
Metro IV, 2<sup>nd</sup> floor, Rm. 2534  
3311 Toledo Rd.  
Hyattsville, MD 20782  
Phone: (301) 458-4095  
E-mail: [dberglund@cdc.gov](mailto:dberglund@cdc.gov)

**From:** PAO Query (CDC)  
**Sent:** Thu, 16 Feb 2023 21:01:38 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** RE: ICD-10

Yes. That's correct.

Brian

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>  
**Sent:** Thursday, February 16, 2023 3:59 PM  
**To:** PAO Query (CDC) <paoquery@cdc.gov>  
**Cc:** Tsai, Brian (CDC/DDPHSS/NCHS/OD) <xbg7@cdc.gov>  
**Subject:** ICD-10

Brian,

The reporter followed up with this question: Can the codes be used to monitor or analyze data without personal identifiers?

I believe this is accurate?

Bert Kelly, MA (CDC/OD/OADC)  
Press Officer  
Division of Media Relations  
Centers for Disease Control and Prevention  
Office: 404-718-1053  
Mobile: 404-444-3818

**From:** Kochi, Sudiksha  
**Sent:** Wed, 1 Mar 2023 18:23:53 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** Re: USA TODAY Fact Check request!

Thank you. So are the codes used in the U.S. then? And they aren't implemented by the CDC then?

**From:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>

**Sent:** Monday, February 27, 2023 10:11 AM

**To:** Kochi, Sudiksha <SKochi@usatoday.com>

**Subject:** RE: USA TODAY Fact Check request!

Hello Sudiksha,

ICD codes are created by the World Health Organization and the ones you are referring to were implemented in April 2022, however the CDC does not have any data on the codes and does not track this information. The codes were created to enable healthcare providers to track within their practices. Also, for some specialties the codes are used to track organ donors' ability to donate.

Regards,  
Bert Kelly  
CDC Media Office

**From:** Kochi, Sudiksha <SKochi@usatoday.com>

**Sent:** Thursday, February 23, 2023 2:33 PM

**To:** Kelly, Bert (CDC/OD/OADC) <msy5@cdc.gov>

**Subject:** USA TODAY Fact Check request!

**Importance:** High

Hi!

My name is Sudiksha Kochi and I am a fact check reporter with USA TODAY. I am fact checking a claim I am hoping to get some expert insight on. The claim is that the U.S. government is secretly tracking the unvaccinated and partially vaccinated. Here is the claim I am checking: [https://www.instagram.com/p/Covsnaduq4\\_/?utm\\_source=ig\\_embed&ig\\_rid=deafe778-3999-4a7b-a211-36914838ddb2](https://www.instagram.com/p/Covsnaduq4_/?utm_source=ig_embed&ig_rid=deafe778-3999-4a7b-a211-36914838ddb2)

Here were some questions I had relevant to the claim:

1. The post cites a program implemented on April 1, 2022, and adopted by most medical clinics in which doctors have to ask patients about their vaccination status. What is this new program? Can you go into detail about it?
2. Would the code ICD-10 track people? Where is that code coming from?

3. I read that the CDC made an update to the International Classification of Diseases. Can you go more into that and what it means? Are these codes new?
4. The post also claims that "the government is also tracking noncompliance with all other recommended vaccines using new ICD-10 codes, and has implemented codes to describe WHY you didn't get a recommended vaccine. It's also added a billable ICD code for "vaccine safety counseling." Is there any truth to this claim?

It would be great if I could have expert insight into this. Thanks so much!

Sincerely,  
Sudiksha Kochi



**From:** Spinelli, Nicholas (CDC/OD/OADC)  
**Sent:** Mon, 27 Feb 2023 19:40:36 +0000  
**To:** Grusich, Katherina (Kate) (CDC/DDID/NCIRD/OD)  
**Subject:** Re: Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

Whoops! I knew that! I see vaccine and I instinctively think of you 😊

Nick Spinelli

CDC News Media Branch

**From:** Grusich, Katherina (Kate) (CDC/DDID/NCIRD/OD) <yhb3@cdc.gov>

**Sent:** Monday, February 27, 2023 2:39:30 PM

**To:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>

**Subject:** RE: Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

ICD/coding is NCHS. Recommend kicking this to them (or to Bert) to handle, as I believe they have a cleared response:

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**From:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>

**Sent:** Monday, February 27, 2023 2:27 PM

**To:** Grusich, Katherina (Kate) (CDC/DDID/NCIRD/OD) <yhb3@cdc.gov>

**Subject:** Fwd: Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

Good afternoon,

We received another vaccine data request :-)

Nick Spinelli

CDC News Media Branch

**From:** NMB Media Inquiry System (CDC) <misjira@cdc.gov>

**Sent:** Monday, February 27, 2023 2:24:00 PM

**To:** Spinelli, Nicholas (CDC/OD/OADC) <tgq5@cdc.gov>

**Subject:** Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

Inquiry [MIS-136321](#) has been created and assigned to **Spinelli, Nicholas (CDC/OD/OADC)** .

[Mobile Link](#) | [Details](#)

**Reporter:** Tyler O'Neil

**Organization:** [TheDailySignal]

**Phone:** (303)-956-8499

**Email Address:** [tyler.oneil@dailysignal.com](mailto:tyler.oneil@dailysignal.com)

**Subject:** Response To House GOP Vaccine Data

**Deadline:** 2023-02-27 17:00:00.0

**Inquiry Description:**

**From:** Tyler O'Neil (Daily Signal) <[tyler.oneil@dailysignal.com](mailto:tyler.oneil@dailysignal.com)>

**Sent:** Monday, February 27, 2023 2:17 PM

**To:** Media (CDC) <[sohco@cdc.gov](mailto:sohco@cdc.gov)>

**Subject:** Media Request: CDC has not responded to House GOP letter on COVID vaccine data

This is Tyler O'Neil, managing editor at The Daily Signal. I'm writing a story about the Centers for Disease Control not responding by the deadline House Republicans set in their letter asking for more information on the CDC's recently codified International Classification of Disease codes relating to the reasons why Americans refuse to take COVID-19 vaccines.

Would the CDC comment on why the ICD system has been updated to include the rationale behind rejecting the vaccines? How does the CDC plan to use these COVID-19 ICD vaccination codes? How does the CDC plan to ensure that Americans' private health information is protected?

Why did the CDC not respond to Rep. Chip Roy's letter about this? Does the CDC plan to answer his questions?

<https://www.dailysignal.com/2023/02/14/exclusive-house-republicans-demand-answers-cdcs-new-database-monitor-why-americans-take-covid-19-vaccine/>

My deadline is 5 p.m. Eastern time today, so I would appreciate a prompt response.

Best,

Tyler O'Neil

(303)956-8499

Tyler

O'Neil

Managing Editor, The Daily Signal

The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002

[heritage.org](http://heritage.org)

**From:** Spinelli, Nicholas (CDC/OD/OADC)  
**Sent:** Mon, 27 Feb 2023 20:05:48 +0000  
**To:** Kelly, Bert (CDC/OD/OADC)  
**Subject:** Re: Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

Thanks!

Nick Spinelli

CDC News Media Branch

**From:** Kelly, Bert (CDC/OD/OADC) <m5y@cdc.gov>  
**Sent:** Monday, February 27, 2023 2:53:56 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <tqg5@cdc.gov>  
**Subject:** RE: Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

We do have an approved response and you might need to tweak it a bit for it to make sense here, but here it is.

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(b)(5)

Let me know how I can help.

bk

**From:** Spinelli, Nicholas (CDC/OD/OADC) <tqg5@cdc.gov>  
**Sent:** Monday, February 27, 2023 2:41 PM  
**To:** Kelly, Bert (CDC/OD/OADC) <m5y@cdc.gov>  
**Subject:** Fwd: Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

Want to take a look?

Nick Spinelli  
CDC News Media Branch

**From:** Grusich, Katherina (Kate) (CDC/DDID/NCIRD/OD) <yhb3@cdc.gov>  
**Sent:** Monday, February 27, 2023 2:39 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <tqg5@cdc.gov>  
**Subject:** RE: Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

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Nick Spinelli  
CDC News Media Branch

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**Sent:** Monday, February 27, 2023 2:24:00 PM  
**To:** Spinelli, Nicholas (CDC/OD/OADC) <[tgg5@cdc.gov](mailto:tgg5@cdc.gov)>  
**Subject:** Issue (MIS-136321) Response To House GOP Vaccine Data - NEW

Inquiry [MIS-136321](#) has been created and assigned to **Spinelli, Nicholas (CDC/OD/OADC)** .

[Mobile Link](#) | [Details](#)

**Reporter:** Tyler O'Neil

**Organization:** [TheDailySignal]

**Phone:** (303)-956-8499

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**Deadline:** 2023-02-27 17:00:00.0

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**Subject:** Media Request: CDC has not responded to House GOP letter on COVID vaccine data

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Tyler O'Neil

(303)956-8499

Tyler

O'Neil

Managing Editor, The Daily Signal

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214 Massachusetts Avenue, NE  
Washington, DC 20002

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