

Introducing the CT Health Information Exchange (Connie), Consent Policy, and Consumer Engagement Strategy

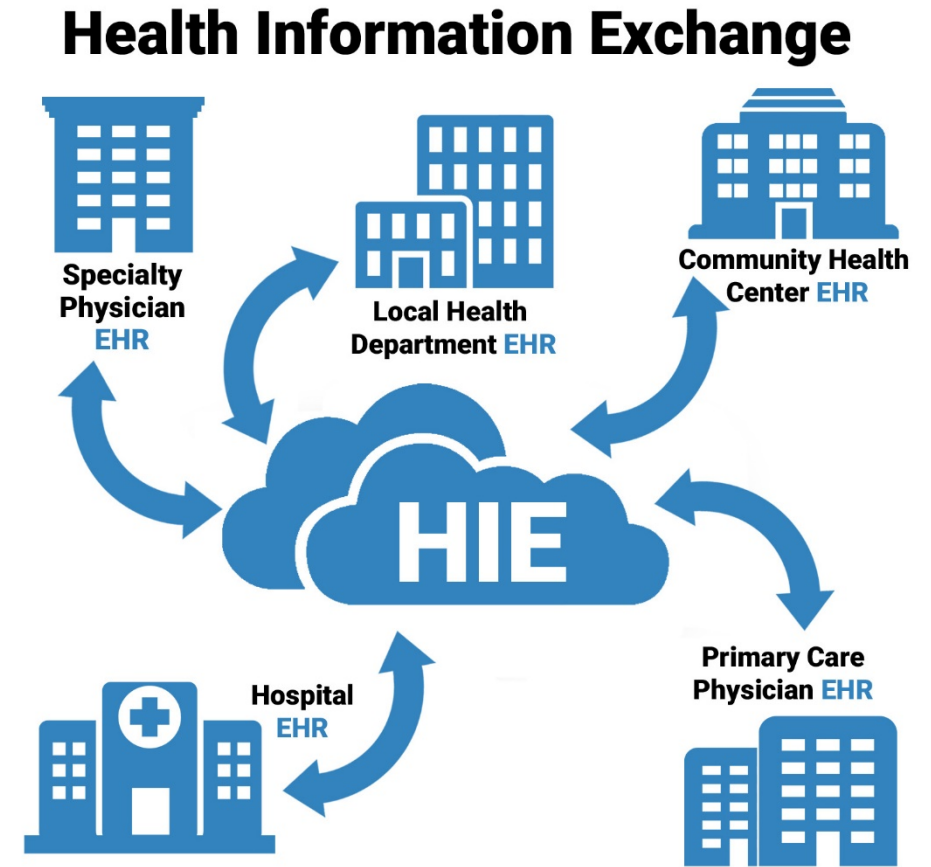
Agenda



- Overview
 - What, Who & Connie
- Connections
- Benefits
- Consent
- Data Security

What is a Health Information Exchange?

A health information exchange (HIE) allows doctors, pharmacists, other health care providers and patients to appropriately access and securely share a patient's vital medical information electronically—improving the speed, quality, safety and cost of patient care.



Introducing Connie



The **Connecticut Health Information Exchange** (Connie) was created in 2019

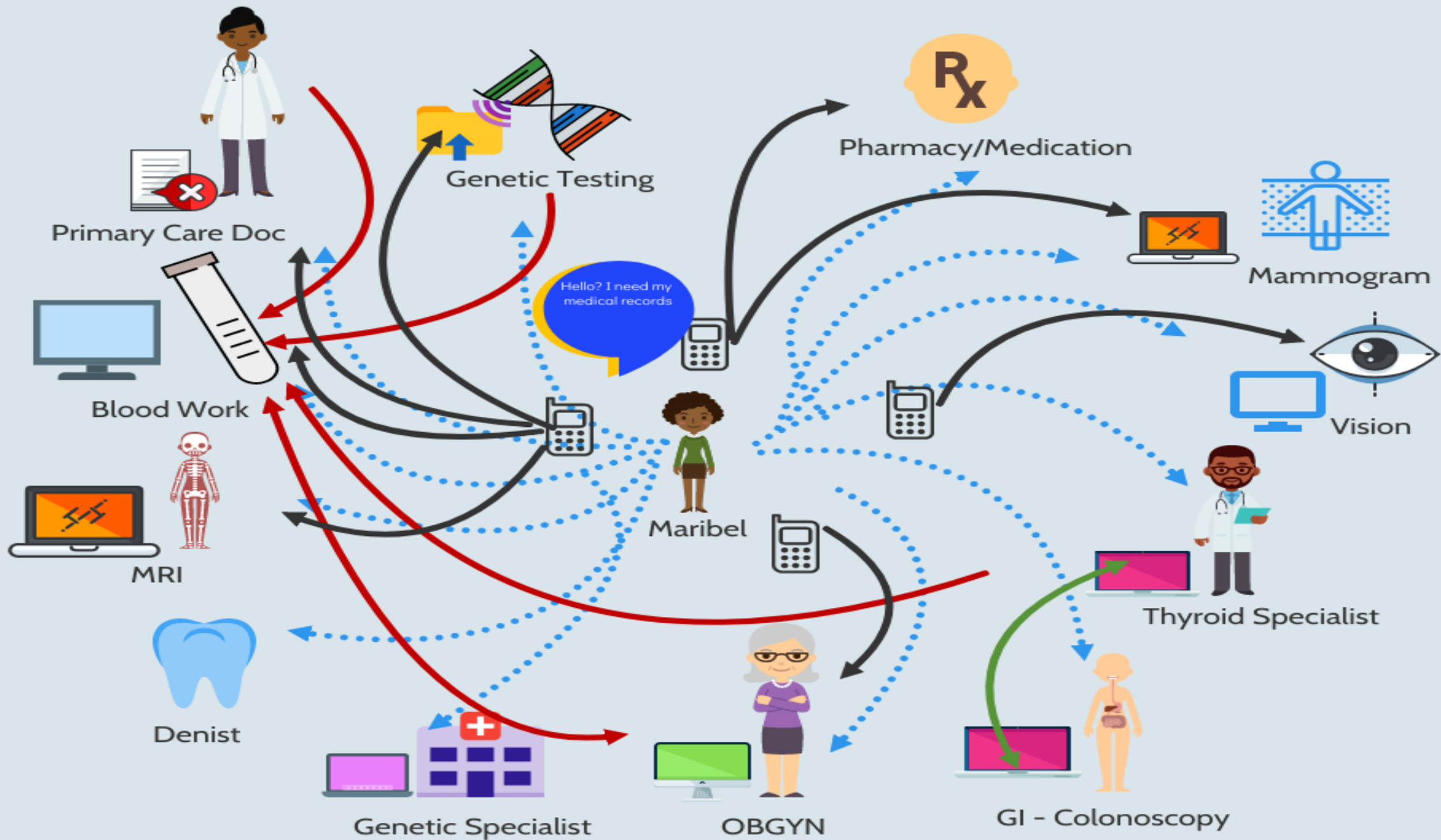
Connie's goals, by statute, are to:

- Enable sharing of authorized patient data
- Support care coordination
- Reduce preventable costs associated with hospital readmissions, duplicative testing and errors
- Support Public Health reporting
- Research and population health analytics
- Provide patient access to their own health records, and more

Who is involved:

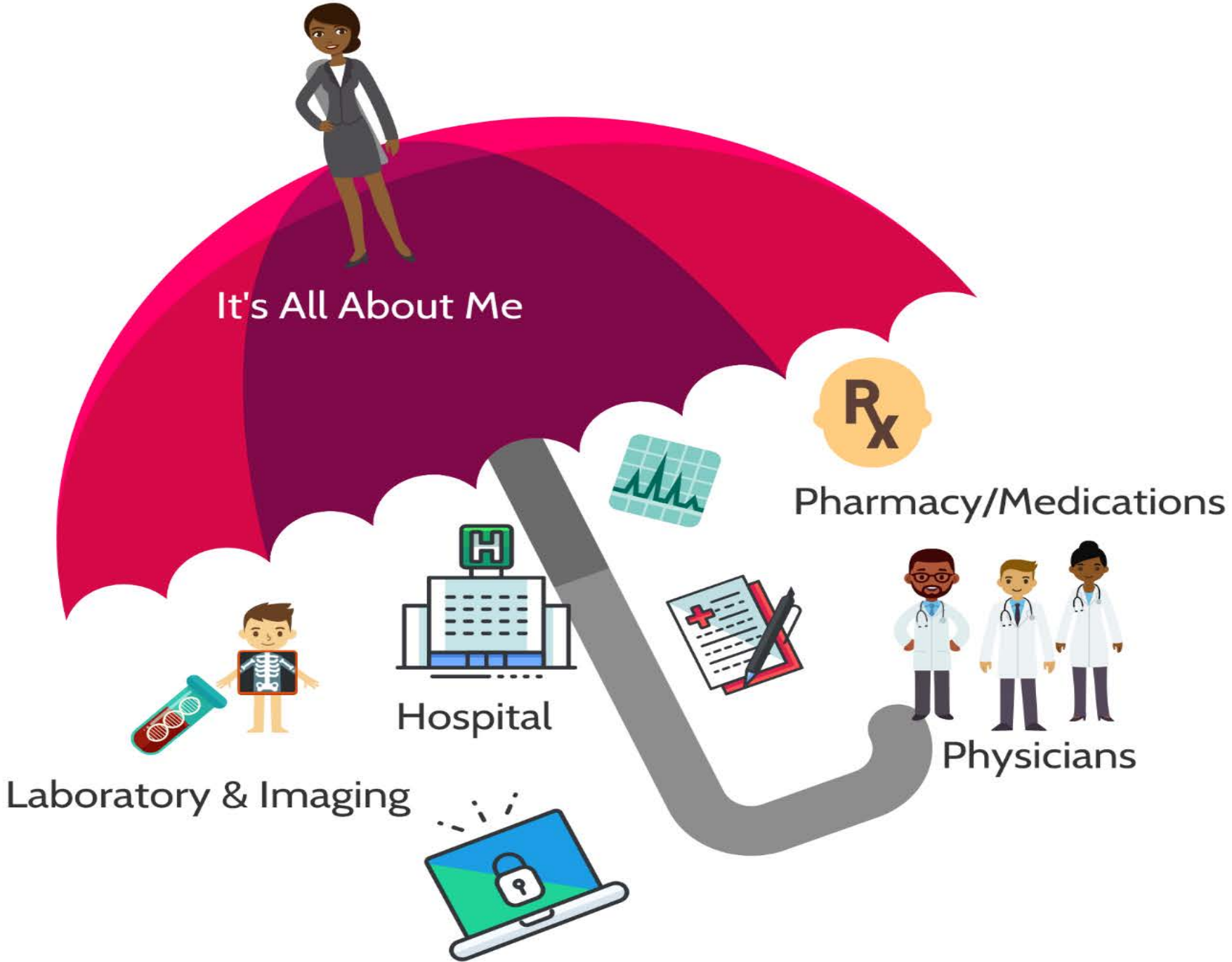
- **Connecticut's Office of Health Strategy** in collaboration with the **Department of Social Services**
 - Statutorily charged by the CT Legislature to establish a health information exchange
- **Health IT Advisory Council**
 - Authority over the mission of Connie
- **Health Information Alliance dba Connie** is a nonprofit, nongovernmental entity established to enable the development and operation of health information exchange (HIE) services for the state of Connecticut.
 - Board of Directors
 - Diverse membership
 - Health Information Technology Officer as Chair
- **University of Connecticut (UConn) Analytics and Information Management Solutions (AIMS)**
- **University of Connecticut Health Center**

How is health information collected & shared now?



How Connie works

- Connie is a technical connection hub
- Connie does not create records
- Connie facilitates the sharing of patient health information
- Providers have better information available to them with which to make clinical decisions
- Providers are also able to communicate quickly and securely with any of your other authorized providers who may have important insights



Connie is a free service.
There is no fee to participate

Protected Health Information & Patient Consent

What is Protected Health Information?

Protected Health Information (PHI): “individually identifiable health information” in a person’s medical record that was collected, created or used while someone was receiving health care services.

Some examples of PHI:

- Name
- Address (including information smaller than state level (street address, city, zip code)
- Any dates (except years) including birthday, date of admission or discharge

Health Insurance Portability and Accountability Act of 1996 (HIPAA):
a law requiring **privacy and security** of patient’s PHI to be protected.

- Notification of Privacy Practices

What is Personally Identifiable Information

Personally identifiable information (PII) is **information** that, when used alone or with other relevant data, can identify an individual.

Sensitive **personally identifiable information** can include your full name, Social Security Number, driver's license, financial **information**, and medical records.

HIPAA & CT Law

- CT law builds upon HIPAA
 - Requires that all oral and written communications and records relating to a patient's mental condition and psychiatrist.
 - No person may reveal any communication identifying a patient to a person, with limited exceptions
 - **Requires consent** of the patient or their authorized representative is required

What does patient consent mean for me?

A healthcare provider **may not** share your protected healthcare information (PHI) with anyone without your permission, or consent, to do so.

What is meaningful consent?

1. Include education and clear language
2. Enough time to review educational material
3. Matches needs for why health information is exchanged
4. Cannot be used to discriminate or refuse medical treatment
5. Meets patient expectation
6. Patient/person can withdraw consent at any time

Elements of Consent

1. Your name
2. The name of the provider you are authorizing to disclose your PHI
3. The name of the individual(s) or the organization(s) to which your PHI is to be released
4. The reason for the disclosure
5. What information may be disclosed
6. A statement that the consent may be revoked at any time
7. The date the consent expires
8. The signature of the patient or their representative
9. The date on which the consent is signed

Exceptions to Consent Requirements:

To promote access to quality care, HIPAA allows healthcare providers to release PHI without a patient's consent for:

- Treatment (e.g. consultations between providers)
- Payment (e.g. submitting insurance claim)
- Healthcare Operations (e.g. quality improvement efforts)
- Public Interest and Benefit Activities (e.g. required by law, public health activities)

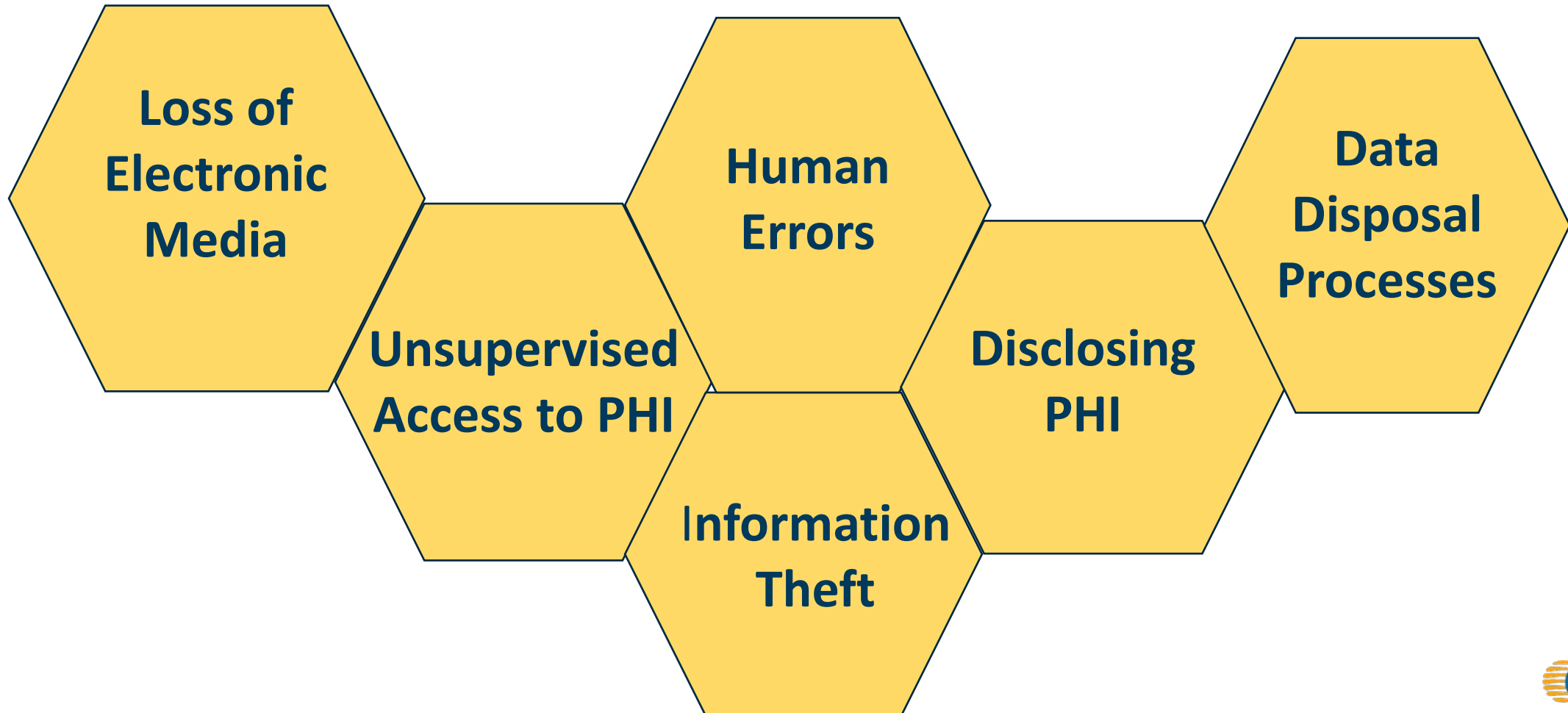
How is PHI treated by Connie?

- Process:
 - Providers send files containing their patients' data to include some basic identifying information.
 - The patients' data will be received by core data analytics, the UConn AIMS architected technical framework for Connie.
 - The patients' data is automatically processed without anyone seeing the data
 - Since multiple providers will be sending patients' files and each provider has different health IT systems, the patients' data must be "normalized"
- Your complete medical record will **not** be routinely sent to Connie.
- Your medical records will **stay** with the provider that created the record.
 - All of the information that may be shared through Connie comes from Healthcare providers and laboratories

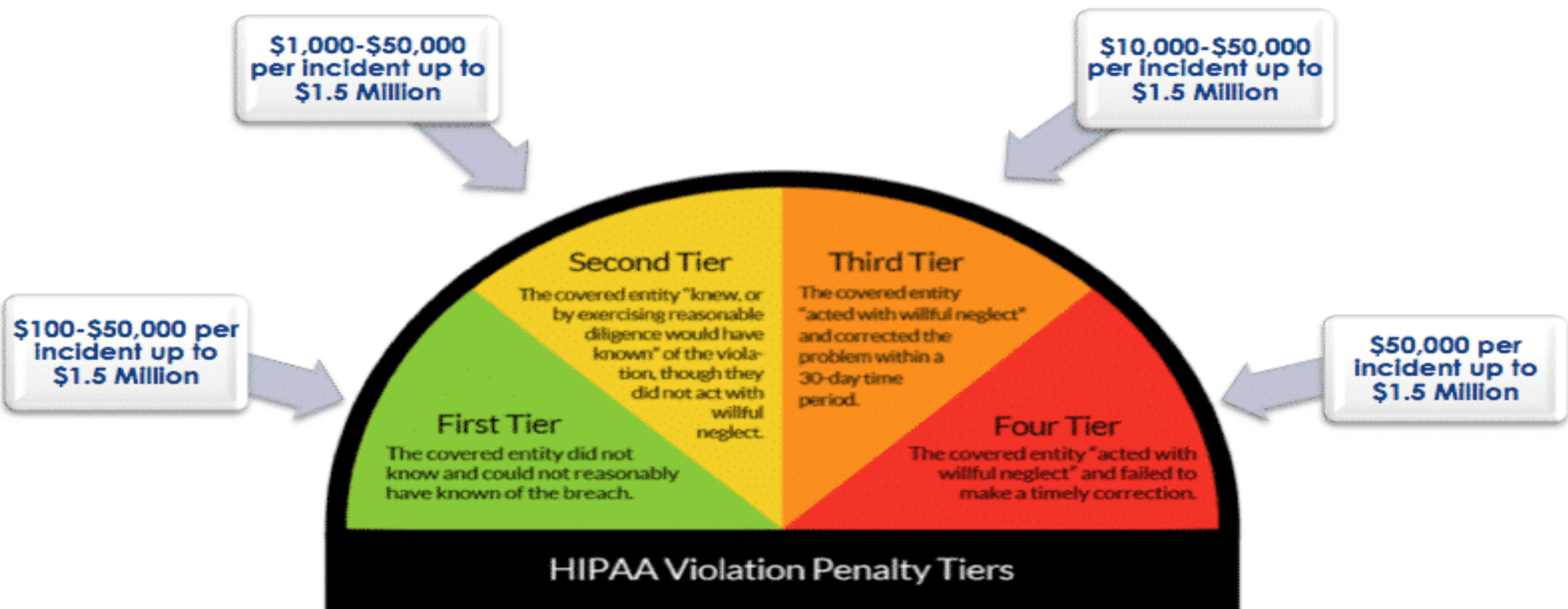
Connie & Data Security:

- The data exchanged will contain protected health information (PHI) and personally identifiable information (PII).
- Data will be encrypted and protected in accordance multiple laws and standards.

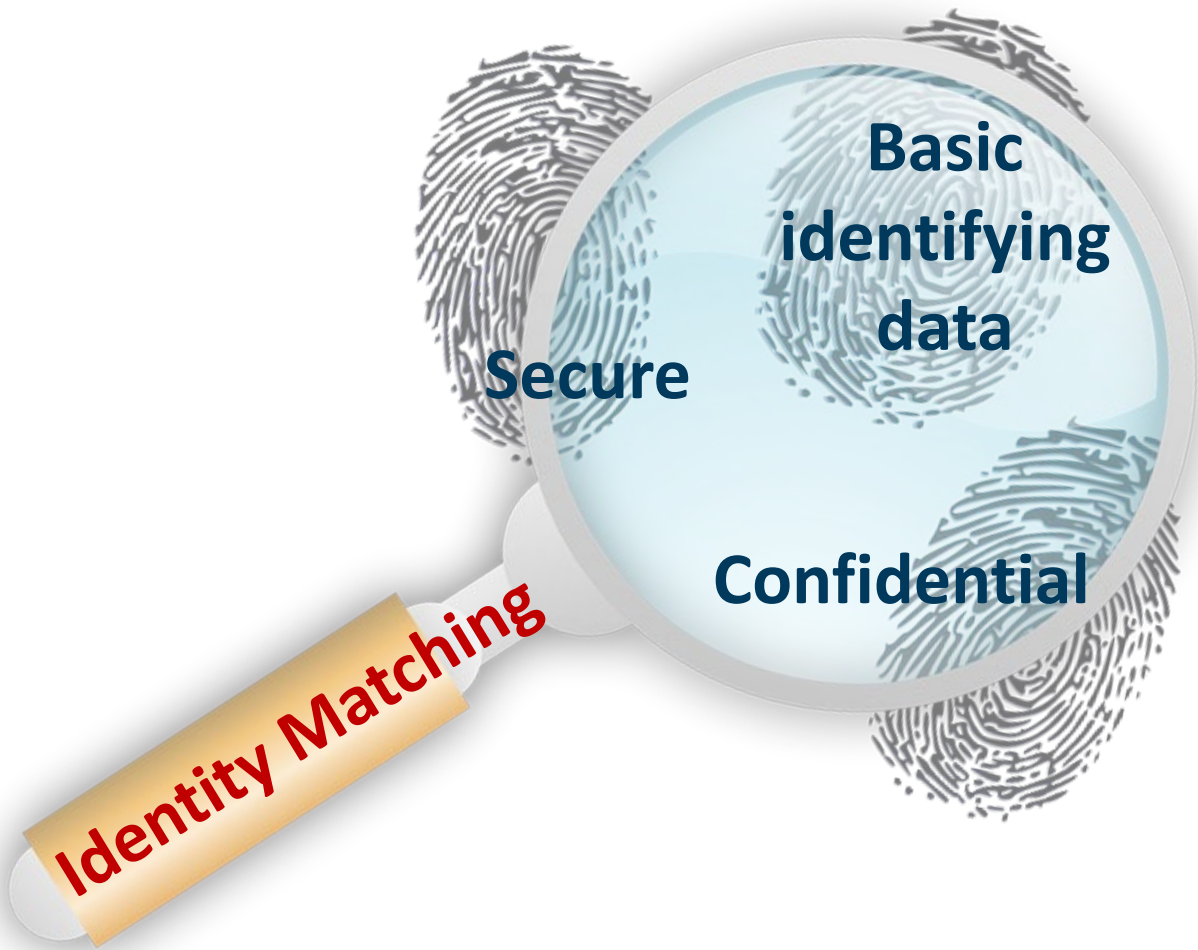
Six Most Common HIPAA Breach



Penalties



What information is used to identify patients in Connie?



Connie will create a patient identifier (like a fingerprint) called a Master Person Index. This creates the “Best Record” for a person.

Is participation in Connie required or mandated?

- Patients are **not** required to participate in Connie.
- Connie will have a website that patients can use in order to “opt-out” of sharing their health information.

Unless you choose to “opt-out”, your health information will **automatically** be available to other health care providers in Connie.

What is Opt-out consent?



- **Do nothing = automatic yes**
- **You agree to let your providers share your data in Connie**



- **Actively choose to select no**
- **Medical records in Connie removed**
- **Some basic data sharing**

How will my providers access information about me if I decide not to participate in sharing my health information (“opt-out”)?

- For any patient who chooses **not** to participate in Connie, their providers will continue to coordinate your care and share information as they currently do.
- Some PHI is still allowed to be shared in specific cases

How long does my decision not to participate in sharing my health information last?

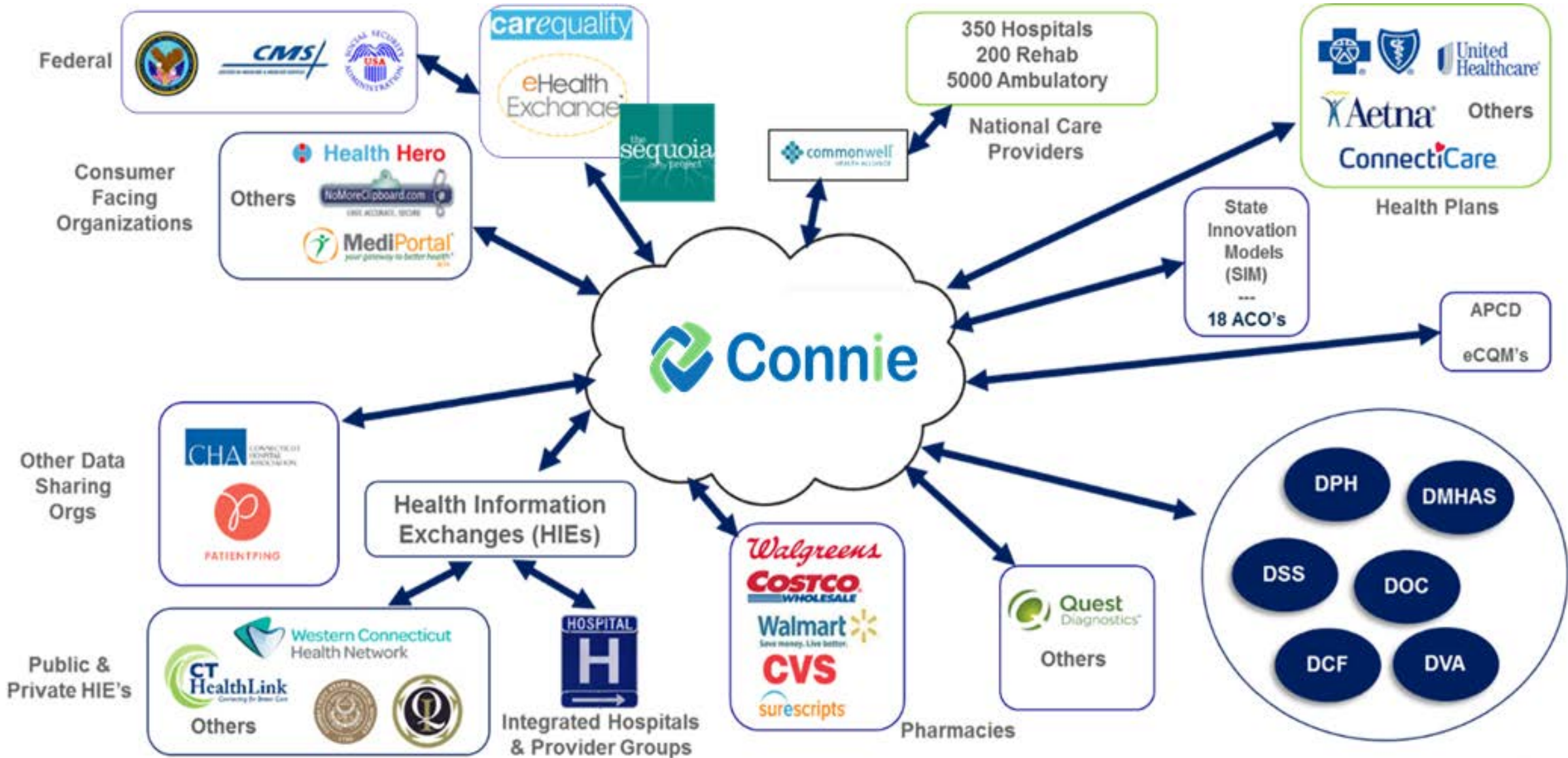
- A patient's choice whether or not to participate in Connie does not expire.
- Your choice will remain in force until you change your selection.

Connie - Mental Health and Substance Use Records:

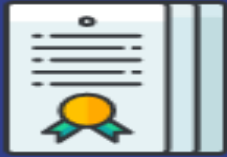
- Mental health records are NOT automatically sent
- You must specifically agree for any provider to share these records
- There are exceptions which would allow a release of these records *without* your specific consent, (release required by law or necessary to safeguard the patient or others' wellbeing).

Timeline for providers connecting to Connie:

- **Within year 1** of Connie beginning operations: CT law requires that all hospitals and clinical labs connect
- **By end of year 2:** all other providers connect to Connie



OHS's Consumer Engagement for HIE Consent policy development



Connecticut Regulatory Process - Consent

OHS Announces
Decision to Pursue
Regulation



Gather Stakeholder
to gather Input and
Feedback to
Complete proposal



Assistant Attorney
General Consult



Draft Fiscal Note,
Certification Sheet,
Public Notice, Small
Business Impact,
Appointment of Hearing
Officer



A Public Hearing
about the Draft
Regulations is
Held & Public
Comment Period



Revisions to the Draft
Regulation based on
public
comment/hearing



Attorney General
Review



Submitted to
Regulations Review
Committee of the
General Assembly and
Office of Fiscal
Analysis



OHS Consumer Engagement Scope

Goal: engage diverse voices to raise awareness of Connie and gather questions and feedback on HIE and consent regulation process. Feedback and input will be considered for consent regulations.

Model: Build ongoing relationships with consumers across multiple sessions.

Format: Continuous virtual listening session of 10 – 12 people throughout the regulatory process

+ Gift card will be provided for participation

Questions for Discussion

- When creating regulation on consent policy, what would be most important for individual consumers to know/understand?
- Were any aspects of the presentation or specific topics confusing?
- Is there additional information about HIE consent you want to know?