

Health Information Security and Privacy Collaboration Provider Education Toolkit



HEALTH INFORMATION SECURITY & PRIVACY TOOLKIT

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Welcome to the **Health Information Security & Privacy Provider Education Toolkit** designed especially for physicians and the healthcare community. We invite you to explore our Web site, learn more about electronic health information exchange, related privacy and security implications, earn free CME credits, ask questions, and get the tools and resources you need to safely and securely get connected!

It's Safe.

Health information exchange has the potential to improve communications among health care providers, support efficient transmission of patient records and provide effective coordination of care. Sharing information through health information exchange can improve patient safety and enhance the quality of care. Use this powerful tool to help improve clinical decisions, coordinate care and avoid medical errors.

It's Secure.

Properly implemented, CCHIT-certified electronic health record systems uphold the security protections you use every day to maintain the confidentiality and security of your patient records. These systems also provide protections necessary to meet privacy and security guidelines set forth by HIPAA and state patient privacy laws.

It's Time.

The days of paper patient records are drawing to a close. With the right resources and colleague support, today's physician can take steps toward integrating electronic health information exchange technology into their practice. This wise investment promises several returns - fully documented records, financial savings, better patient care and time saved.



Dr. David C. Kibbe Dr. Daniel Mongiardo

See what Physician Champions David C. Kibbe, MD, MBA, and Kentucky Lt. Governor Daniel Mongiardo, MD, have to say about getting connected to health information technology.



Yes, I want to learn more about getting connected to electronic health information technology.

**1203
Connected**



A message from John D. Halamka, MD, MS
Chair, Healthcare Information Technology Standards Panel (HITSP)



A message from Mark Leavitt, MD, PhD
Chair, Certification Commission for Healthcare Information Technology (CCHIT)

HISPC-PET NEWS

[Stimulus broadens privacy disclosure accounting](#)

[States Must Address Differences in Health IT Policy, Experts Say](#)

[Provider Organizations Must Comply With New Privacy Regulations](#)

[Three national panels release 'shared vision' for health IT](#)

[Economic Stimulus Package Ratchets up Privacy and Security for Health Information](#)

[Lobbying War Ensues Over Digital Health Data](#)

[Docs say IT critical to healthcare reform](#)

[Stimulus Package Brings Out Wide Range of Privacy Opinions](#)

[Opinion: Widespread Health Care IT Adoption "Absolutely Necessary"](#)

[Think Tank Lobbies for New Approach to Health Data Privacy Protections](#)

[Privacy Issue Could Slow Efforts to Advance Health IT Adoption](#)

[Privacy, breach policy takes priority in stimulus bill](#)

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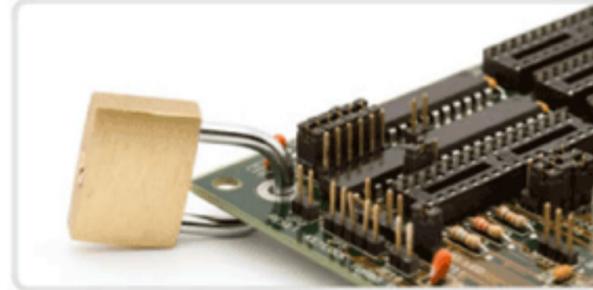
The goal of the **Health Information Security & Privacy Collaboration (HISPC)** is to address barriers to health information exchange. HISPC was established in 2006 by RTI International through a contract with the U.S. Department of Health and Human Services. The collaboration, comprised of 42 states and territories, aims to effectively address privacy and security issues pertinent to electronic health information exchange through multi-state collaboration.

The goals of the **HISPC Provider Education Toolkit** are to:

- Introduce health care providers to the benefits of electronic health information exchange (HIE),
- Increase provider awareness of the privacy and security benefits and challenges of HIE,
- Motivate providers to understand the advantages of participating in electronic health information exchange,
- Identify the steps to HIE implementation, and
- Encourage participation in HIE.

A goal of the HISPC provider education initiative is to create an education and outreach toolkit for providers nationwide.

[Click here to download our Executive Summary](#)



States participating in the **Health Information Security & Privacy Toolkit** pilot include:

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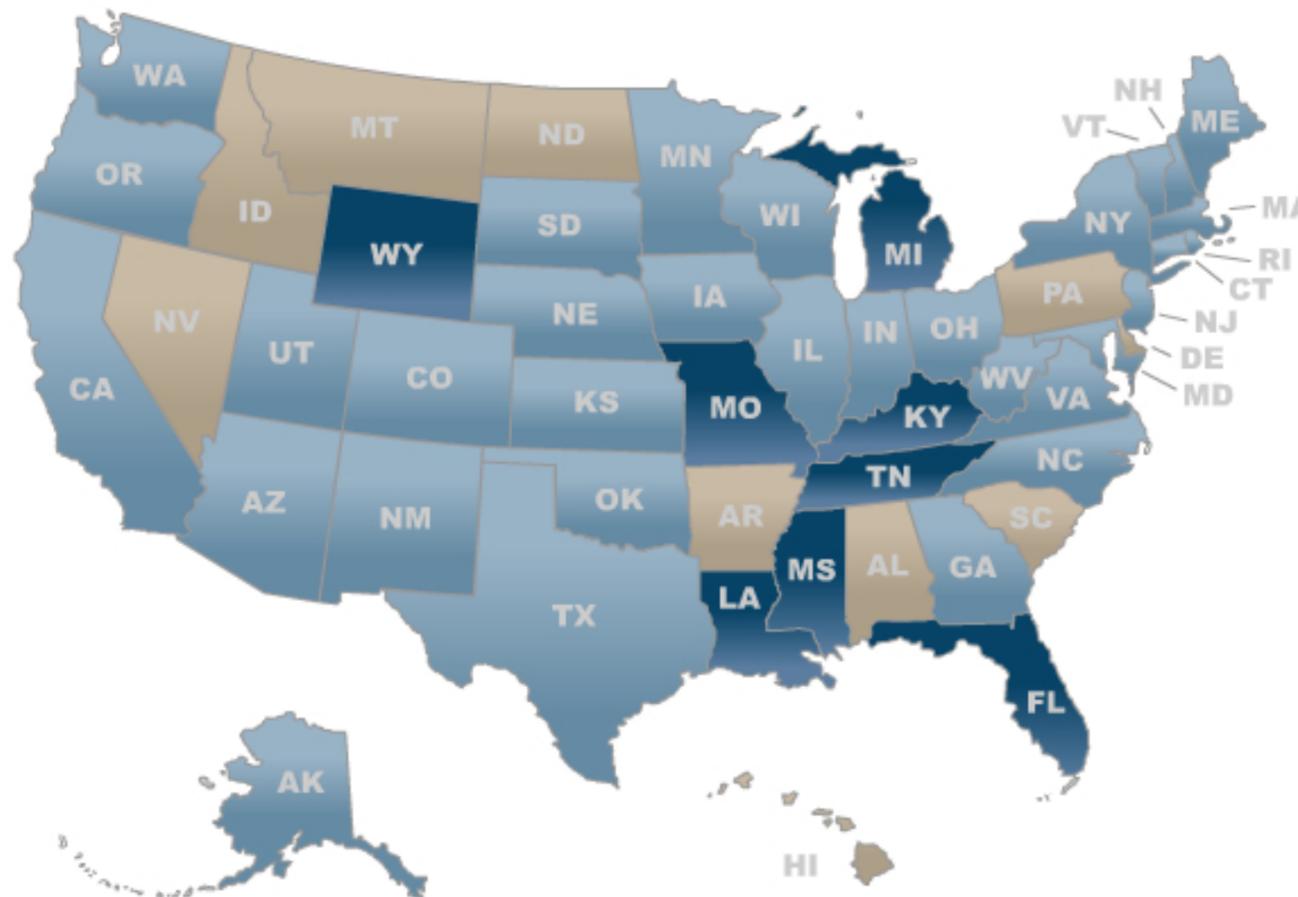
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To raise awareness of electronic health information exchange, the eight states identified in DARK blue on this map are piloting the Health Information Security & Privacy Toolkit.



Click on a dark blue pilot state to get more information and connect to the state's electronic health information website.

Click on a light blue state for contact information on activities in that state related to HISPC.

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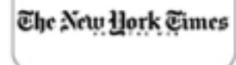
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"By making medical records available to doctors electronically, anywhere, medical errors and costs would be reduced. It's one way to help fix the broken U.S. health care system."



-- Kentucky Lt. Governor Daniel Mongiardo, MD
Forum with Lt. Gov. tackles health care 'crisis'
Community Press, Cincinnati, OH
October 21, 2008

"Bringing patient records into the computer age, experts say, is crucial to improving care, reducing errors and containing costs in the American health system."



-- The New York Times
"Most Doctors Aren't Using Electronic Health Records"
June 19, 2008

"We know e-prescribing is an efficient way to improve health care delivery, decrease medication errors, and prevent potentially dangerous drug interactions."



-- Janet Marchibroda, CEO
eHealth Initiative
October 7, 2008

"Most patients have multiple physician encounters with different specialists, who often prescribe different medications and often don't communicate with each other. The dangers of such a system are well understood. This scenario makes having a common EHR that can be shared throughout the healthcare system a real imperative to providing excellent quality and safe care to those patients."



-- Robert Schwartz, MD
Professor & Chair
Department of Family Medicine and
Community Health
University of Miami Miller School of Medicine
December 2008

"Electronic medical records offer numerous advantages over paper records which are sometimes illegible and very often not where the patient is when he or she needs treatment...."



"Electronic records also promote preventive care, improving health and lowering costs...."

-- Science Daily
"Nation's Only Citywide Electronic Health Information Exchange: Improving Health And Lowering Costs"
October 15, 2008

"Electronic health records have the potential to improve the delivery of health care services. However, in the United States, physicians have been slow to adopt such systems."



-- The New England Journal of Medicine
"Electronic Health Records in Ambulatory Care - A National Survey of Physicians"
July 3, 2008

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What is health information exchange (HIE)?

What technology do I need in my practice to participate in HIE activities?

How can HIE help my practice?

What basic security steps do I need to keep my electronic health records safe?

How can HIE benefit my patients?

Can I afford to install health information technology in my practice?

Can I comply with HIPAA and participate in HIE?

Do I have to change everything to implement technology in my practice?



Dr. David C. Kibbe Dr. Daniel Mongiardo

Physician Champions David C. Kibbe, MD, MBA and Kentucky Lt. Governor Daniel Mongiardo, MD, answer your questions on electronic health information exchange and more.

What is health information exchange?

Health Information Exchange is defined as the electronic movement of health-related information among organizations according to nationally recognized standards.

http://www.nahit.org/pandc/press/pr5_20_2008_1_33_49.asp

How can health information exchange help my practice?

Health information exchange can:

- Improve the quality of patient care
- Improve competitive market position
- Improve reimbursement rates, and
- Improve customer service and patient loyalty

<http://www.ahrq.gov/clinic/tp/hitsystp.htm>

Can I comply with HIPAA and participate in health information exchange?

Yes, HIPAA provides security and privacy requirements for protecting the health information of your patients. Whether you have paper or electronic records, these requirements remain the same.

http://healthit.ahrq.gov/portal/server.pt?open=512&objID=1117&&PageID=14753&mode=2&in_hi_userid=3882&cached=true#Answer

Do I need an electronic health record to participate in electronic health information exchange?

No, you do not need an EHR to participate in electronic health information exchange. A provider can start using technology incrementally without purchasing an entire EHR system. For example, a provider can participate in ePrescribing by linking to a secure portal offered by health systems and pharmacy organizations. The provider can also participate in health information exchange through a local Health Information Organization that provides a community portal to access healthcare records. http://www.himss.org/rhio_connection/20070405_RHIO_Connect.htm http://www.healthtransformation.net/cs/state_solutions <http://www.cms.hhs.gov/eprescribing/> http://www.himss.org/ASP/topics_eprescribing.asp

What basic security steps do I need to take to keep my electronic health records (EHRs) safe?

Many of the basic privacy and security practices that you have in place to protect your paper patient records also apply to electronic patient records. For EHRs, I suggest that you:

- Purchase a system that is certified by the Certification Commission for Healthcare Information Technology found on the Web at www.cchit.org.
- Thoroughly train staff and establish policies on what can be disclosed and under what circumstances.
- Assign each person in your practice a unique user ID and password for the computer. Prohibit sharing of names and passwords.
- Provide physician security for your EHR data just as you would for your paper patient records, and
- Save and back up data regularly so it can be recovered if your system crashes. Back-up media can be any media that can be removed from the practice premises and securely stored. The Centers for Medicare and Medicaid Services offer a number of security related guidance documents at

<http://www.cms.hhs.gov/SecurityStandard> <http://www.healthit.ahrq.gov>

Are electronic health records more secure than paper records?

While no records are 100-percent secure, electronic health records are capable of providing added security measures such as an audit log. This means that anyone accessing the records can be identified. Implementing encryption can also provide another trustworthy level of security.

http://www.ihe.net/Technical_Framework/upload/IHE_ITI_Whitepaper_Security_and_Privacy_2007_07_18.pdf

Will participating in electronic health information exchange increase my liability?

Liability issues vary from state to state. Thus, this question is best addressed through reliable legal counsel. However, the Archives of Internal Medicine published a study on November 24, 2008, that suggests physicians with EHRs appear less likely to have paid malpractice claims. More study is needed and good legal advice is a must.

<http://archinte.ama-assn.org/cgi/content/short/168/21/2362>

How expensive is it to implement security and privacy safeguards in my electronic office?

Costs will depend largely on the technology that you adopt, the size and location of your practice, and the security and privacy risks you identify. As noted in the HIPAA Security Rule for covered entities, safeguards should be reasonable and scalable. <http://www.cms.hhs.gov/SecurityStandard/downloads/securityfinalrule.pdf>

Will participating in health information exchange give the government additional access to my patients' medical records?

State and federal reporting laws already require the sharing of certain health information to agencies that monitor public health issues. These releases are not prohibited under HIPAA. Also remember that the HIPAA Privacy Rule allows for the sharing of patient health information for treatment, payment and health care operations.

<http://www.hhs.gov/ocr/hipaa/>

Do Medicaid and Medicare support health information exchange?

Yes, both Medicaid and Medicare support health information exchange.

Do Stark laws prohibit me from participating in health information exchange?

No, Stark laws do not prohibit you from participating in health information exchange. Amendments to Stark now allow hospitals to invest in software and certain other services such as training for physicians without invoking Stark.

www.himss.org/content/files/HIMSSStarkAnti-kickbackRegulationsGeneralOverview.ppt

What rights do my patients have under HIPAA privacy standards?

The HIPAA Privacy Rule gives patients the right to access their health information, restrict access by others, request changes, and learn how their health information has been accessed. For additional information, see the HIPAA Basic: Privacy and Security Issues at www.dhhs.gov/ocr/privacysummary.pdf

How can health information exchange help my patients?

Health information exchange benefits patients through improved quality of care, less chance of medical errors and better outcomes.

http://library.ahima.org/xpedio/groups/public/documents/ahima/bok1_034250.hcsp?dDocName=bok1_034250

Can I afford to install health information technology in my practice?

The term health information technology covers a broad range of products and services – from implementing ePrescribing to going to an entirely electronic health record (EHR). Ultimately, I'd tell you that you can't afford not to embrace health information technology because of its many benefits.

<https://texmed.org/Template.aspx?id=4605> [http://www.deloitte.com/dtt/cda/doc/content/us_chs_hiebusiness-models_111306\(1\).pdf](http://www.deloitte.com/dtt/cda/doc/content/us_chs_hiebusiness-models_111306(1).pdf)

Do I have to change everything to implement technology in my practice?

In many cases, you will not have to change everything. Changes will depend on what technology you implement – whether you start small and add functionality in incremental steps or implement a full EHR system. Your goal should be to have a continuous flow of information throughout your office and improve overall workflow.

<http://www.centerforhit.org/x1085.xml>

With all the changes in the healthcare industry, shouldn't I wait to invest in technology?

No, you should not wait. Technology will continue to advance, and it is important for physicians to begin using available technology now.

What technology do I need in my practice to participate in health information exchange activities?

At a minimum, you will need an internet connection, preferably high speed. You also will need a computer, electronic notepad or PDA.

How can an electronic health record help my practice?

Adopting a fully functional electronic health record (or EHR) can help improve the efficiency of your practice in many ways, including:

- Electronic charts are easy to find and data is accessible at the point of care.
- You can easily track who looked at patient charts.
- Electronic charts simplify quality tracking and reporting.
- EHR systems improve workflow by providing treatment alerts and drug interaction reminders.
- Digital messaging among staff helps provide better continuity of care for your patients, and
- An EHR system improves billing accuracy and payment turn around time by ensuring complete documentation.

Free Physician's Guide 2008 at <http://www.cchit.org>

EHR lessons and practice transformation models at <http://toolkit.ehealthinitiative.org/>

How do I find a system that meets my needs?

The first step to selecting a system is to clarify your expectations about how the technology will work in your practice. Conducting a practice and staff-level assessment helps you understand your office from the inside out, build a vision for using EHR and expectations for benefits. You'll want to consider your patient population, practice workflow and structure, current information technology and staff skill level. Next, you'll want to consider systems certified by the Certification Commission for Healthcare Information Technology (CCHIT) found at <http://www.cchit.org/> Your peers and professional organizations are another great source on EHR systems and vendor information. For example, members of the American Academy of Family Physicians can talk to peers and take advantage of group purchasing discounts.

Do doctors need patient consent to share medical records electronically?

Consent requirements vary from state to state and unless a state's consent laws specify otherwise it generally will not treat health information differently because of its form or format. It's important to be aware, however, that most states also have laws which single out certain classes of protected health information such as HIV, mental health and substance abuse which may require additional patient consent.

<http://www.ehealthinitiative.org/assets/Documents/ConsumerConsentforHealthInformationExchange-AnExplorationofOptions.pdf>

<http://ehrddecisions.com/>

Why should electronic health record software in a doctor's office be interoperable with other electronic health record systems?

The doctor's electronic medical records (EMR) automate patient care only within that single care setting. The benefit of electronic health records (EHR) is that they are interoperable and provide a longitudinal patient record that connects data from multiple healthcare settings. Simply put: interoperability means that systems at different points of care can exchange data.

<http://www.ehrbestpractice.com/>

Are there other physicians willing to help me learn more about electronic health records and health information technology?

Yes, there are a number of professional associations that offer peer assistance. I recommend that you check out the Physicians Electronic Health Record coalition at www.pehrc.org.

<http://www.pehrc.org>

<http://www.aafp.org>

How does HIPAA affect my office staff's access to electronic health information?

The HIPAA Security Rule requires an organization to determine who has access to patient information by job title and what information needs to be accessed to carry out each job. Individual states also have laws governing access. For more information, see the HIPAA Basic: Privacy and Security Issues at :

<http://www.cms.hhs.gov/SecurityStandard/> <http://www.hhs.gov/ocr/hipaa/> <http://www.dhhs.gov/ocr/privacysummary.pdf>

Is there a difference between EHR and EMR?

Yes. An EMR or electronic medical record is an electronic record of health-related information on an individual that can be created, gathered, managed, and consulted by authorized clinicians and staff within one health care organization. An EHR or electronic health record is an electronic record of health-related information on an individual that conforms to nationally recognized interoperability standards and that can be created, managed, and consulted by authorized clinicians and staff across more than one health care organization. So, EHRs are interoperable and EMRs are not. Today, many people use the terms interchangeably. However, when speaking of exchanging health information electronically with other providers outside your practice, the correct term would be "EHR".

http://www.nahit.org/pandc/press/pr5_20_2008_1_33_49.asp HHS offers a searchable FAQ database specific to HIPAA privacy issues.

HHS offers a searchable FAQ database specific to HIPAA privacy issues

The top FAQs are listed and a keyword search will return results from a database of over 253 FAQs. <http://www.hhs.gov/hipaafaq/index.html>

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News Releases

January 16, 2009 [States launch virtual toolkit for health care providers](#)



Press Kit and Tools

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- [Editorial Column](#)
- [Brochure](#)
- [Newsletter Article](#)
- [Journal Article](#)
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Video Clips

[See what Physician Champions David C. Kibbe, MD, MBA, and Kentucky Lt. Governor David Mongiardo, MD, have to say about getting connected to health information technology.](#)

[A message from John D. Halamka, MD, MS, Chair, Healthcare Information Technology Standards Panel \(HITSP\)](#)

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Audio Clips

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To help you Get Connected to electronic health information exchange, we encourage you to review the resources listed below:

Office of the National Coordinator for HIT

<http://www.hhs.gov/healthit/>

Provides leadership for the development and nationwide implementation of an interoperable health information technology infrastructure.

Agency for Health Research & Quality

<http://www.healthit.ahrq.gov>

Under *Health IT Tools*, find:
 Privacy & security toolkit
 Costs & benefits database (searchable)
 Evaluation toolkits

American Academy of Family Physicians Center for Health Information Technology

<http://www.centerforhit.org>

The focal point of AAFP's services related to Center for Health Information Technology medical office automation and computerization.

Includes tutorials on EMR basics, opportunities to talk with peers in similar practices, and practice and clinical improvement tools.

American College of Physicians HIT

http://www.acponline.org/running_practice/technology/

Provides physicians with resources and information pertinent to running a practice successfully with health information technology.

AHIMA My Personal Health Record

<http://www.myphr.com/>

Information about Personal Health Records sponsored by AHIMA

CCHIT 2008 Physician's Guide

<http://www.cchit.org>

What is certification?
 Why select a certified system?
 Why should implement an EMR system?
 Download a free *Physician Guide 2008*

Clinical Microsystems

<http://www.clinicalmicrosystem.org>

Tools & templates to assess your practice, evaluate workflow and determine patients' needs

eHealth Initiative Connecting Communities

<http://www.toolkit.ehealthinitiative.org>

Register for free access to *Connecting Communities*
 Tools include EHR Master Quote Guide, EMR Lessons from Small Physician Practices & several practice transformation models.

EHR Decisions

<http://ehrdecisions.com/>

Offered by CCHIT to help physicians determine readiness for moving to an EHR, start the selection process, negotiate, purchase and implement. Has a list of incentives for implementing EHR and questions to ask a vendor.

Healthcare Information and Management Systems Society

<http://www.himss.org>

HIMSS provides leadership for optimal use of healthcare information technology for betterment of healthcare.

HITSP (Health Information Technology Standards Panel)

<http://www.hitsp.org>

A cooperative public and private sectors partnership formed for the purpose of harmonizing and integrating standards that will meet clinical and business needs for electronically sharing health information among organizations and systems.

Medical Records Institute

<http://www.medrecinst.com/emrcompare>

MRI's mission is to promote & enhance the journey toward electronic medical records, e-health, mobile health and related applications of information technologies.

Provides EMR system comparison based on vendor self-reporting.

ADDITIONAL RESOURCES

American Health Information Community

<http://www.hhs.gov/healthit/community/background>

Markle Foundation Connecting for Health

http://www.markle.org/markle_programs/healthcare/projects/connecting_for_health.php

American Health Information Management Association (AHIMA)

<http://www.ahima.org>

National eHealth Collaborative

<http://www.nationalehealth.org/Home.aspx>

American Medical Association

<http://www.ama-assn.org>

Office for Civil Rights

<http://www.hhs.gov/ocr/privacy/index.html>

CMS

<http://www.cms.hhs.gov/HIPAAGenInfo/>

RTI HISPC

<http://privacysecurity.rti.org/>

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