



NORTH CAROLINA HEALTH INFORMATION EXCHANGE AUTHORITY

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North Carolina Health Information Exchange Authority

Overview of Topics



- Health Information Exchange Overview: PURPOSE
- What does the law mandate?
- HB 70 Proposed Legislation
- What is NC HealthConnex: POLICIES
- Connection PROCESS & Benefits of Connecting
- Suite of Services
- Questions?

Who Are We?

We connect health care providers to safely and securely share health information through a trusted network to improve health care quality and outcomes for North Carolinians.



STATE DESIGNATED



SECURE



PARTNERSHIP

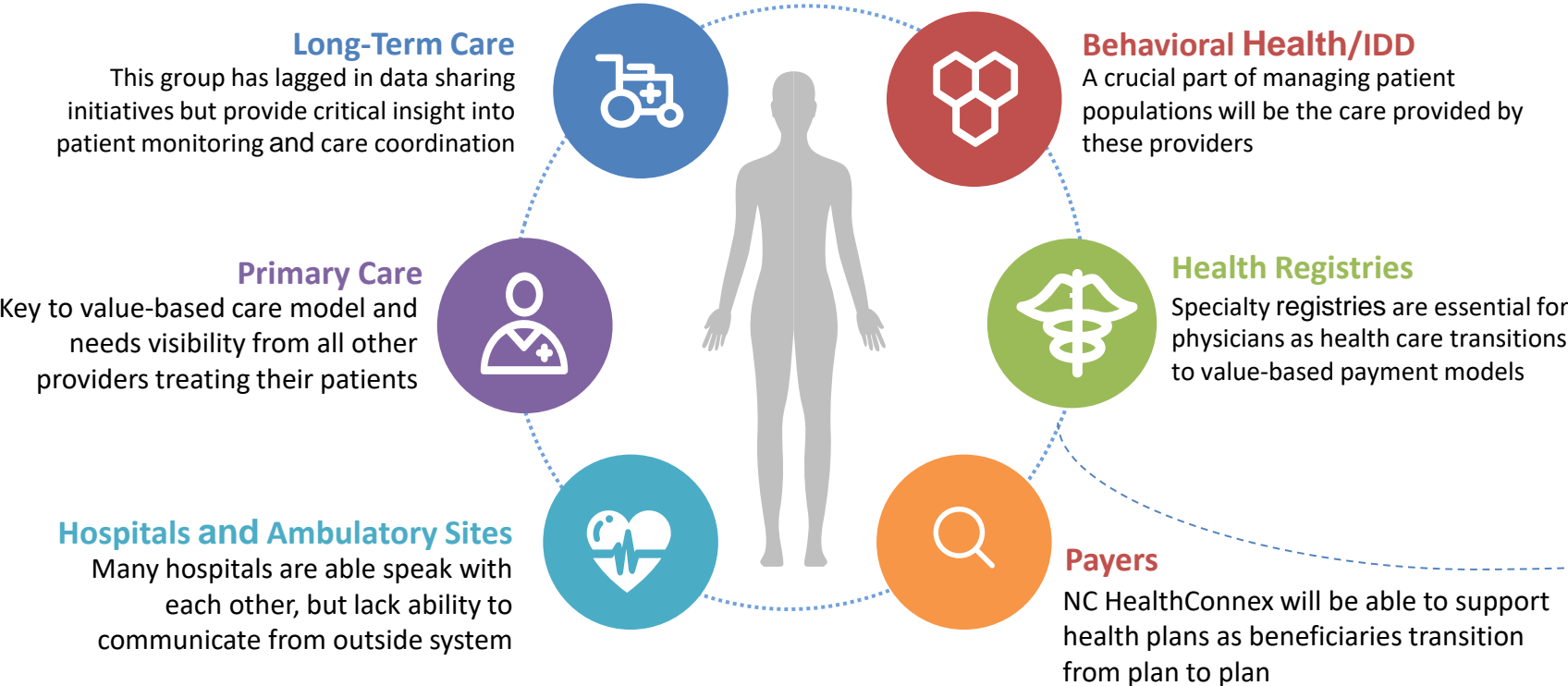
NC HealthConnex, By the Numbers:

- **Over 40,000 providers with contributed records**
- **4,500 plus health care facilities live submitting data, including 97 hospitals**
- **4,000 plus health care facilities in onboarding**
- **52 million+ continuity of care documents (CCDs)**
- **6M+ unique patient records**
- **Over 150 unique EHRs engaged**
- **6 border and intra-state HIEs connected**



Health Information Exchange in North Carolina

facilitating data exchange to improve care

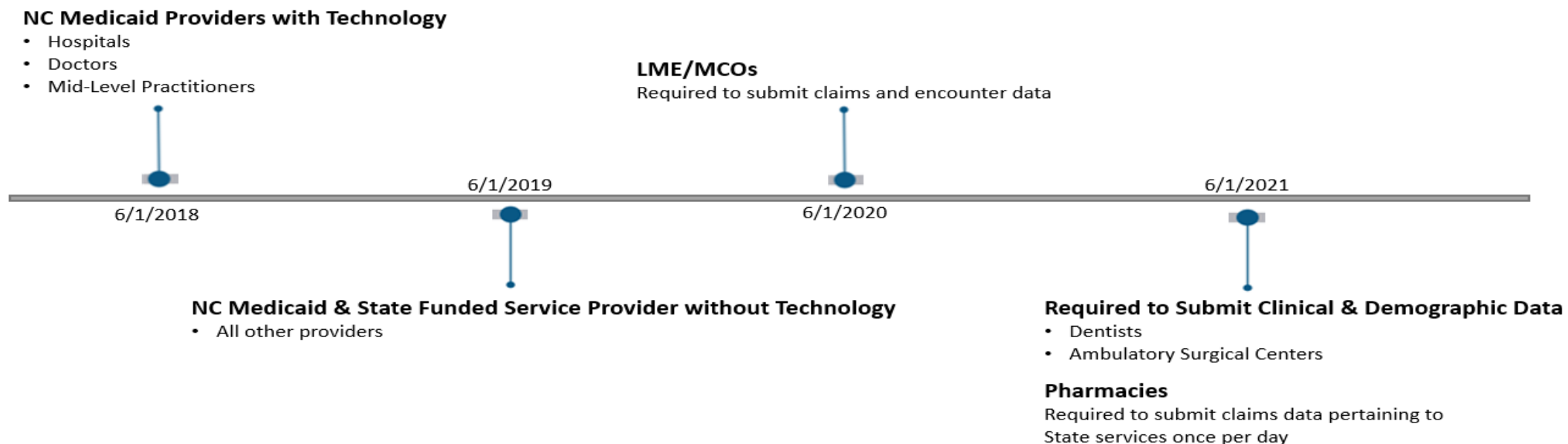


What Does the Law Mandate?

Hospitals as defined by G.S. 131E-176(3), doctors (licensed to practice under Article 1 of Chapter 90 of the General Statutes), and mid-level practitioners who provide Medicaid services and who have an electronic health record were required to connect by June 1, 2018.

All other providers of Medicaid and state-funded services shall connect by June 1, 2019 except;

- Dentists and ambulatory surgical centers are required to submit clinical and demographic data by June 1, 2021
- Pharmacies are required to submit claims data pertaining to State services once per day by June 1, 2021 using pharmacy industry standardized formats



House Bill 70 – Proposed Committee Substitute

- Solely requires health care providers licensed in the State of NC to connect. Providers in other states can connect voluntarily.
- Moves the June 1, 2019 deadline to June 1, 2020 for most providers
- Requires psychiatrists to connect by June 1, 2021
- Extends the final deadline (i.e. the “end” date) for all entities to connect to 2021, which allows providers more time to comply and aligns with deadline updates made to the HIE Act in 2018 for pharmacies, dentists, and ambulatory surgical centers
- Requires State facilities and labs to connect after they have procured EHRs
- Clarifies that data that passes to or through NC HealthConnex is not public record



House Bill 70 – Proposed Committee Substitute

Hardship Exemption

DHHS in consultation with DIT to establish a process to grant exemptions to providers of Medicaid and other state-funded providers for whom acquiring and implementing an EHR would constitute undue hardship.

Process would consider the following:

- Impending retirement or closure
- Lack of access to affordable broadband capacity
- Lack of financial flexibility to acquire and implement health information technology solutions whether exclusion of the provider from Medicaid would result in a lack of access to care under the Department's network adequacy standards

House Bill 70 – Proposed Committee Substitute

Statutory Exemption for Certain Service Providers

1. Respiratory, rehabilitative, restorative, assistive technology, and intellectual and developmental disability service providers.
2. Durable medical equipment providers.
3. Personal care, community alternatives programs, including CAP/C and Innovations, private duty nursing, and Program of All-Inclusive Care for the Elderly (PACE) service providers.
4. Home health providers.
5. School-based health providers, Children’s Developmental Services Agencies, NC Infant-Toddler Program service providers, and providers of the residential behavioral health program for children operated by the Secretary of the Department of Health and Human Services at Wright School.
6. Speech, language, and hearing service providers.
7. Hospice service providers.
8. Respite care service providers.
9. Non-emergency medical transportation services.
10. Occupational and physical therapy service providers.

Extension Process Update

- Participants who are in the queue to connect and are moving forward in the technical process, will automatically receive an extension and remain in compliance.
- If HB 70 does not pass by June, new participants who are mandated to connect by June 1, 2019, will automatically receive an extension if they are still in the queue to connect on their deadline.
- Please note: Participants must remain responsive with the NC HealthConnex technical team and continue to move forward in the connection process. The extension is not a waiver, but simply an extended period of time to finish the connection build.

Patient Education & Opt-Out



Patient Education materials provided to organization via email (*welcome packet*).

Includes:

- Sample Notice of Privacy Practices
- Fact Sheet
- Tri-fold Brochure Order Form
- Talking Points
- FAQs
- Employee Education Materials
 - Employee Newsletter
 - Leadership Emails

*Patients have the right to opt out of having their information shared between providers through NC HealthConnex.

All NC HIEA Policies are posted on our website, nchealthconnex.gov.



Opt Out in the HIE Act

The NC HIEA is required to ensure that participants educate patients about NC HealthConnex and their right to opt out of data sharing once their data is in NC HealthConnex.

An opted out patient's information can still be disclosed for public health or research purposes as long as the disclosure is permitted by HIPAA and State law.

It is important to note that patients' data must or should still be submitted to NC HealthConnex even if they have opted out. It is required for beneficiaries of State funded services and it is encouraged to send data not pertaining to State funds. However, for this latter group of patients, the provider must abide by HIPAA and any patient restrictions they have agreed to.

General Opt Out Process



North Carolina Health Information Exchange Authority Patient Opt Out Form

Please complete one box and the information requested below, and mail to:
NC HIEA, Attn: Opt Out Processing, 4101 Mail Service Center, Raleigh, NC 27699-4101
Please include a return address on the mailing envelope.

Opt Out: The NC HIEA may not share any of my health information.

By completing and signing this form, I certify that I have been notified of the benefits of NC HealthConnex and of my right to opt out of having my data shared between participating health care providers through NC HealthConnex. I also understand that my personal health information may be accessed and used in certain circumstances pursuant to HIPAA and NC law, such as reporting public health threats. I understand that the information provided to me is not legal advice and I will hold the North Carolina Health Information Exchange Authority harmless for the direct or indirect consequences of my decision to opt out.

Signature of Patient or Parent/Legal Guardian _____ Date _____

Print Name _____

Rescind Opt-Out: I request to terminate my previous decision to opt out.

By completing and signing this form, I am allowing my health information to be accessible to my health care providers through NC HealthConnex as permitted or required by North Carolina or federal law.

Signature of Patient or Parent/Legal Guardian _____ Date _____

Print Name _____

Please complete all of the following fields for the patient who is requesting the opt out or the opt out rescission. Incomplete forms will not be processed.

First Name of Patient _____ Middle Name _____ Last Name _____

Street Address _____ Mailing Address _____

City _____ State _____ Zip _____ City _____ State _____ Zip _____

Date of Birth _____ / _____ / _____ Sex _____ Email _____

(_____) _____ (_____) _____
Primary Phone Number Secondary Phone Number

North Carolina is an Opt Out state, which means patients are automatically *Opted In* to the HIE, unless they exercise their right to Opt Out.

It is the provider's responsibility to educate their patients about NC HealthConnex, and their right to Opt Out. A *Welcome Packet with education materials and a sample Notice of Privacy Practices is emailed to each Participant Account Administrator when the executed PA is returned.*

If a patient chooses to submit an Opt Out form, all fields must be completed, and form should be mailed to the NC HIEA Business Office:

NC HealthConnex
MSC 4101
Raleigh, NC 27699-4101



Minors & Health Care Treatments

N.C.G.S. 90-21.5: Unemancipated minors are permitted to be received treatment without consent from a parent or legal guardian (“LG”) for the following conditions:

- venereal disease and other reportable diseases;
- pregnancy;
- abuse of controlled substances or alcohol; and
- emotional disturbance

N.C.G.S. 90-21.4(b): Providers are also prohibited from notifying the minor’s parent or LG about the treatment given to the minor for the conditions above **unless** the provider determines that notifying the parent or LG is essential to the life or health of the minor.

Minors may also receive treatment in other situations, including medical emergencies, the parents or legal guardians cannot be located, the identity of the child is unknown, etc.

Minor Opt Out Interim Solution

NC HealthConnex has developed a plan to allow for a minor to request confidentiality in accordance with NC law. This solution involves:

- The County Health Department to obtain written opt out requests from minor patients during the visit involving medical treatments the minor does not need parental consent to receive
- The provider will submit the form directly to NC HealthConnex within 3 days of the encounter
- Meanwhile, NC HealthConnex will hold off on including the minor's records submitted from that provider in NC HealthConnex.
- If the opt out is received by NC HealthConnex within that time period, that set of minor's data from that encounter date will not be visible to participants. If the opt out request is not received, the minor's data will be viewable in NC HealthConnex.

DPH has identified a few health departments that have started testing this process. Certain EHR products have also provided the ability to flag and not submit minors' data as an interim solution.

Questions?

For more information, visit:

www.nchealthconnex.gov

919-754-6912

hiea@nc.gov

Legal Questions

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