

The 4<sup>th</sup> Annual Ohio Health Information Technology  
and Exchange Summit  
Health Information Exchange Permission  
Breakout Session Notes  
October 29, 2007

I. General Feedback

- Form is not user friendly.
- Keep in mind that the knowledge and sophistication skills of a patient are mixed and varied.
- Form should be very explicit in noting what it does and does not cover.
- Make clearer distinction between Part A and Part B.
- Consider separating the existing permission form into two different documents (Part A form and Part B form).
- Change form name from permission to release.
- Add e-mail address and security question to section requesting patient demographics.

II. Part A General Medical Use or Release

- Further clarify reference to the minimum necessary standard.
- Consider treating as an acknowledgment form.
- Overturn Ohio common law requiring consent for treatment, payment, and operations.

III. Part B Multipurpose Use or Release

- Consider treating as a permission form.
- List of components of medical records has too many categories and yet is incomplete. Further discussion is necessary on the purpose of the list.

IV. Part C Signature

- Indicate that the authorization will remain in effect for finite time period.

V. Data Management

- Who assumes responsibilities for tracking form and variations in permission by the patient?
- Liability concerns with tracking changes in patient permission status.
- RHIO infrastructures are limited in addressing frequent changes in patient permission status.
- Use of the last four digits of a social security number is a best practice.
- For record retrieval, some RHIOs use social security numbers, and an abbreviated approach will not work.
- Consider how to narrow record search retrieval and how to control for variability in data elements.
- Ohio has two models for RHIOs that address some issues but not others.

VI. Legislative Changes

- Craft state legislation to grant immunity from liability for appropriate uses and disclosure of information consistent with law or based on the patient's specific request.
- Create state legislation that would harmonize, clarify, and streamline current Ohio confidentiality laws pertaining to use and disclosure of patient health information.
- Seek federal legislation that would remove federal barriers for health information exchange.