



Oklahoma Health Information Exchange

FAQs for Hospitals

May 4, 2023

What is Health Information Exchange (HIE)?

Electronic health information exchange (HIE) allows doctors, nurses, pharmacists, other health care providers and patients to appropriately access, through a secure connection, a patient's vital medical information electronically, improving the speed, quality, safety and cost of patient care. HIE provides the capability to electronically collect, store, and share clinical information among disparate health care information systems while maintaining its privacy and security.

What are the benefits of the Health Information Exchange?

Access to a patient's electronic medical records can enable health care practitioners in multiple care settings to generate a whole-health picture of the patient. The statewide HIE will result in:

- More informed clinical decisions and improved health outcomes.
- Improved care quality and timeliness.
- Elimination of unnecessary tests.
- Reduced health care costs associated with redundant testing, hospital admissions and emergency department visits.

History

How did HIE come about in Oklahoma?

In March 2022, Oklahoma passed Senate Bill 1369, requiring all health care providers to report data to and utilize the State Designated Entity (SDE) for Health Information Exchange beginning July 1, 2023. But a statewide HIE is a concept Oklahoma providers have been working on for many years. The first appearance of the idea in statute dates back to 1992. At least 10 years ago, stakeholders such as hospitals, insurance plans and tribal governments determined **they wanted a private entity, not the state, to be the designated entity for the HIE**. Many of these providers have been voluntarily connected to MyHealth and other electronic platforms since that time.

Data Elements

What is the "State-Designated Entity"?

MyHealth Access Network has been chosen as the state-designated entity (SDE) for health information exchange in Oklahoma. **MyHealth is an Oklahoma-based nonprofit health information exchange created by a grassroots coalition** of health care industry stakeholders across Oklahoma. Its board of directors is composed of members who represent health and medical associations, hospitals, related disciplines (optometry, dentistry, first responders), community health organizations, insurance companies, medical colleges, tribes, employers, public health, and patients. (See myhealthaccess.net/who-we-are/board)

The state-designated entity creates a platform for interconnectivity between health care providers, not a central repository at a state agency where medical files are uploaded. MyHealth is the operations layer enabling sharing of health records **directly between health care practitioners**.

Privacy and Security

Does the statewide HIE create a “data warehouse” that the state will be able to access and use?

No. The HIE does **not** create a central depository of sensitive medical information to be used and potentially abused by the state. Privately owned MyHealth, as the state-designated entity, creates a platform for **interconnectivity** between health care providers. MyHealth is the operations layer enabling sharing of health records **directly between health care practitioners**. Only the health care professionals involved in a patient’s care are authorized to view that patient’s records. Access to medical records is strictly protected by HIPAA and 42 CFR Part 2, meaning misuse can result in federal breach penalties and even imprisonment.

Under this structure, the state does not own the data. **Patients own their data, are in control, and can opt out of participation in the HIE.**

What types of data will be available through the HIE?

Patient notes, including therapy session notes, will **not** be shared to the HIE. Providers and patients are in control of what data they share. **Any patient may decide to prevent access to their medical records.**

Only high priority health information will be available through the MyHealth connection, as required by federal regulations. Information shared through MyHealth includes: names of providers, diagnoses, current medications, lab and x-ray results, past procedures, known allergies, immunization records, hospital discharge records, and basic personal information such as name and address.

Is the health information data secure?

MyHealth uses the most effective industry safeguards possible to protect the patient information, including strong encryption methods, robust password protection, an audit trail, and regular secondary independent professional review. These methods are more secure than paper files and fax machines.

Readiness

Does HIE participation help providers comply with federal interoperability requirements?

Yes. Joining the health information exchange will help providers comply with federal requirements such as Office of the National Coordinator for Health Information Technology (ONC) and Centers for Medicare & Medicaid Services (CMS) interoperability rules, MIPS (Merit-based Incentive Payment System), Meaningful Use, HIPAA rules, 21st Century Cures Act mandates, and other requirements.

These requirements existed before the passage of SB 1639 (2022) in Oklahoma and are why so many providers have already voluntarily connected. Connectivity also enables organizations to obtain certification or accreditation in such organizations as The Joint Commission, the National Committee for Quality Assurance, Oklahoma State Department of Health, and others. The information is also useful in complying with managed care contracts, commercial value-based purchasing models, and risk-bearing contracts.

The legislation pending during the 2023 legislative session is now dormant. Do I do I still need to comply?

Yes. Although HB 1688 was not enacted, the laws governing the HIE are still in effect from prior years. If you cannot meet the mandate, apply for a hardship exemption before July 1.

Are there other state requirements for connectivity?

Yes. Other state laws require electronic reporting of data by providers for such things as discharges, reportable medical conditions, and disease surveillance.

Does my participation in the HIE create a legal liability for my organization?

No. Immunity for legal liability is already covered in the statutes that govern the HIE. The statute states: "Any person who submits or receives data as required or authorized by the Oklahoma Health Care Information System Act shall be immune from liability in any civil action for any action taken as required by the provisions of the Oklahoma Health Care Information System Act." 63 O.S. § 1-120 (OSCN 2023), *Oklahoma Health Care Information System Act*

If I currently have an EHR, can I connect to the statewide HIE?

Yes, but you will need to establish that connection with MyHealth.

Am I already connected to the HIE if I'm currently connected to MyHealth?

Yes.

Do providers such as nurses and physical therapists employed by a hospital need a separate connection to the HIE?

No.

If I'm not able to connect to MyHealth by the implementation deadline of July 1, will I need to apply for a hardship exemption?

Yes. Apply for a hardship exemption through OKShine at <https://bit.ly/3maDSqT>. The hardship can be for financial reasons, size of practice, lack of technology capabilities, or type of health care provider, but each individual provider unable to comply should apply for an exemption.

Funding

How is HIE funded in Oklahoma?

For those who are already connected to MyHealth, there will be no additional cost. There is a variable cost for connectivity dependent on a provider's system. The cost covers the time and effort for MyHealth to meet with the providers' EMR vendor or IT team, review the standards, setup the secure connection, and test the data flow. A monthly subscription fee is also required to access the network. These costs are currently the responsibility of the provider, but the state Legislature is exploring options for funding. Providers unable to connect for financial reasons may request a hardship exemption.

For more information, go to <https://bit.ly/3zv5hXy> and <https://myhealthaccess.net>.