HealtheConnections HIE: Consent Management Guide

This guide helps authorized users understand patient consent and access to health information through the HealtheConnections health information exchange (HIE). It covers privacy and security responsibilities, patient consent choices, and requirements for collecting, recording, and storing consent.

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Privacy & Security

Protecting patient information is part of every HIE interaction. This section outlines privacy responsibilities, secure access practices, and reporting requirements.

Privacy

Before accessing or sharing patient information, understand what is protected and the rules that apply to its use and redisclosure.

Protected Health Information (PHI)

Information about an individual's health status, provision of health care, or payment for health care. In addition, there are health conditions that are classified as sensitive data including, but not limited to:

- Substance Use Disorder (42 CFR Part 2)
- Birth Control and abortion (family planning)
- Genetic (inherited) diseases or tests
- HIV/AIDS
- Mental health conditions
- Sexually transmitted diseases

Health Insurance Portability and Accountability Act (HIPAA)

HIPAA rules apply when using the HIE. This includes, but is not limited to:

- Access only the minimum necessary information
- Follow all redisclosure requirements (state and federal)
- Never share login credentials
- **Do not access your own, family, or other's records without a treating relationship**

Redisclosure Notice: Any patient records that are accessed through HealtheConnections' health information exchange are subject to all applicable federal and state laws and regulations for redisclosure, including but not limited to Minor Consented Services, Substance Use Disorder, HIV/AIDS, Mental Health, and Developmental Disabilities. If such information is present in the HIE, these regulations may prohibit you from making any further disclosure of this information without the written consent of the person to whom it pertains. A general authorization for the release of medical or other information is NOT sufficient for this purpose. As an authorized user of the HIE, you are responsible for understanding and following the applicable laws.

Security

Secure HIE use includes choosing the correct organization, sharing information through appropriate channels, and reporting privacy or cybersecurity events.

Share PHI securely.

- Only when appropriate
- Secure Messaging (if enrolled)
- Encrypted email
- Fax

Choose the appropriate organization for your search when applicable.

- Verify the organization before each patient search

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- Patient consent is organization specific
- Recent Patients and Favorites sections do not filter by organization
- Accessing a patient's information under the incorrect organization is an unauthorized access and can result in sanctions

Audits are conducted regularly to ensure patient and provider data security. Examples include:

- Break the Glass (applicable organizations)
- Public health monthly audits
- Annual audits (all participants)
- User audits

Notify us of privacy and cybersecurity events.

- All breaches must be reported to HealtheConnections within 24 hours
- Our team can assist during cybersecurity events
- For details, review the Privacy and Cybersecurity Event Notifications Reference Sheet.

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Consent Components

Patient consent helps determine whether your organization can access a patient's information through the HIE. This section explains consent choices and the responsibilities involved in collecting, recording, and storing consent.

New York State Consent Requirements

Review the requirements below to understand how consent applies to your organization and when it is needed to view patient records.

- Patients must give affirmative written consent before their HIE records can be viewed; not for those records to be made available on the HIE.
- Consent is organization-specific—it applies only to the organization that obtained the form.
- Each organization receives a customized consent form.
- Authorized users with the appropriate security role may access records for consenting patients.
- Patients only need to provide consent once per organization but may change their choice at any time.
- Providers cannot deny care based on a patient's consent decision or refusal to sign a consent form.
- Certain organization types (e.g., public health, organ procurement, death investigators) may not require consent—see the Privacy and Security Policy and Procedure Handbook.

Consent Signing

Collecting consent begins with identifying who can sign and helping that person understand their choices. Follow the process below when presenting your organization's consent form.

Who Can Sign Consent

- ✓ Patients under 18 years: Parents, Legal Guardians, or State Officials can sign the consent form on behalf of the patient.
- ✓ Patients aged 18+ years: May provide consent for themselves
- ✓ Health Proxy/Representative: If an agent is appointed by the patient in a health proxy document or due to incapacity to legally make healthcare decisions on behalf of the patient, that agent may provide consent for the patient

Consent Signing Process

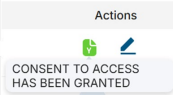
- ✓ Present the patient/legal representative with the consent form for your organization.
- ✓ Discuss and educate the patient/legal representative on the benefits of providing consent. This will help them make an informed decision.
- ✓ The patient/legal representative must choose only one box, then sign and date the form.

For help on how to talk to your patient about consent, click here.

Consent Values

The consent choices below describe whether your organization may access a patient's information, including access during a medical emergency. Available choices depend on the organization.

I GIVE CONSENT for the Provider Organization or Health Plan to access ALL of my electronic health information through HealtheConnections to provide health care services (including emergency care)

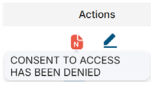


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I DENY CONSENT EXCEPT IN A MEDICAL EMERGENCY* for the Provider Organization to access my electronic health information through HealtheConnections
**Limited to Designated Organizations and requires RHIO Administrator approval*



I DENY CONSENT for the Provider Organization or Health Plan to access my electronic health information through HealtheConnections for any purpose, even in a medical emergency



Community-Wide Deny Consent

Patients may choose Community-wide Deny Consent, which applies to ALL HealtheConnections participants. The steps below outline how staff can help patients understand this choice and submit a completed form for processing.

- Ensure staff are trained to explain consent accurately.
- If the patient completes the form at the provider's office:
  - Verify patient identity
  - Discuss ramifications with patient
  - Confirm patient information and and ensure that the patient has signed and dated the form
  - Sign the form as a witness
  - Send the signed form to HealtheConnections for processing
- If patient does not complete the form at the provider:
  - Ensure the patient understands their options

Note: A patient can revoke a Community-Wide Deny Consent. For more information, review the Community-Wide Deny Forms and Policy document available in Guides & Forms in the Resource Center.

Consent Actions

Certain consent override actions apply only in specific circumstances. Review who may use each action, when it applies, and any documentation or access limits before proceeding.

Minor-Consented Services Override

Who:

- Organizations that provide minor-consented services can discuss information and provide treatment for such services without parent/guardian permission.

When:

- Patients under 18 years old can override parental/guardian consent for a minor consented service if the parent/guardian:
  - Has not previously consented
  - Has selected “Deny” or “Deny, Except in an Emergency”
  - A minor cannot override a “YES” consent provided by a parent or legal guardian

Notes:

- Only in effect for the duration of the visit and expires upon logging out of your account.
- Parent/guardian shall never be provided information about the minor-consented service or consent override unless authorized by the minor.

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Break the Glass

Who:

- Emergency Departments
- Authorized hospital providers
- Other select organizations (e.g., EMS)

When:

- Medical emergency: patient needs immediate medical attention
- Delaying treatment to collect consent would increase the risk to the patient's life or health

Document:

- Nature of Emergency (e.g., stroke, myocardial infarction, etc.)
- Name of Authorizing Provider (e.g., MD, DO)
- Detailed instructions and policies surrounding this option are provided on our website.

Consent Management

Recording a patient's consent makes their choice available in the HIE. Your organization's process depends on whether consent is entered directly in the portal or sent electronically from your EMR.

Capturing Consent

Patient consent can be captured in two ways, depending upon your facility's capabilities:

1. Authorized Users can login to the HIE, look up a patient and enter the patient's consent directly in the portal.
2. Hospitals and other facilities (that are connected to us and are configured to send consent data to us) capture patient consent in their Electronic Medical Record (EMR), which is sent over electronically to HealtheConnections.

Consent Storage Requirements

Keep signed consent forms accessible for future reference and audits. The requirements below describe how long to retain them and the storage options available.

- ✓ Consent must be retained for six years after it is no longer in effect (e.g., expires or the patient is deceased).
- ✓ Forms must be signed and may stored as:
  - Hard copies: patient files, scanned into EMR/other electronic file
  - Electronically: e-signed form in EMR/other electronic file
- ✓ Consents are subject to audit; signed copies must be available when requested.

Importance of Consent

Consent conversations help patients understand how sharing their health information can support their care. Use the points below to explain the benefits while supporting an informed choice.

A patient agreeing to share their medical history improves the care they receive. It's that simple!

When providers have access to a patient's medical record, they:

- ✓ Have a greater knowledge of that patient's medial history
- ✓ Can make better care decisions

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By confidently explaining consent choices and benefits to your patients, you help them:

- ✓ Make an informed decision
- ✓ Receive better care

95% of patients who are asked say YES!

Patients who agree to give consent will not only receive better care, but they will save your organization time and improve efficiencies by not having to request records from other organizations!

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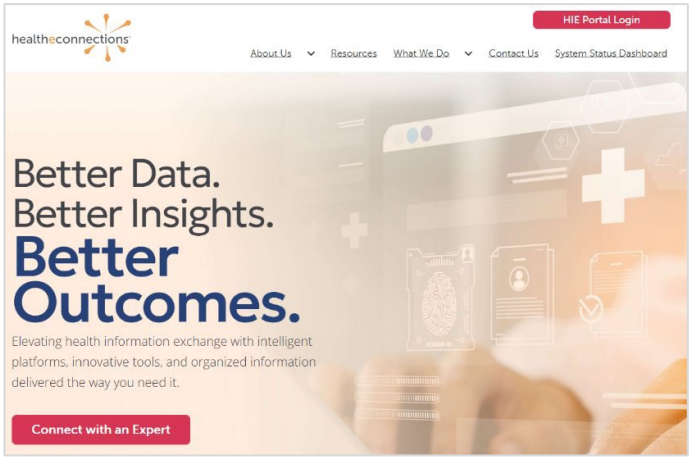
Consent Management in the HIE

This section walks through reviewing or adding consent and using applicable consent actions. Follow the requirements in previous sections when completing these steps.

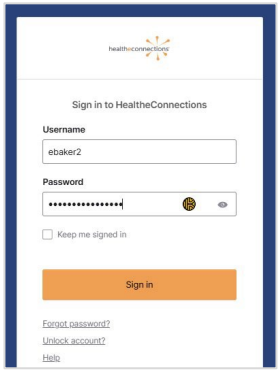
Accessing the HIE Portal

Use your individual account credentials and complete multi-factor authentication to sign in. Account recovery options are available on the login screen if needed.

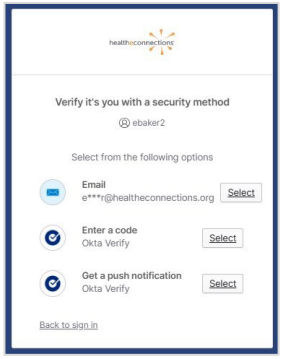
1. Navigate to www.healtheconnections.org and select the HIE Portal Login button at the top of the page.



2. On the portal login screen, enter your account credentials (username and password), and click Sign In. *If you need to reset your password or unlock your account, click the appropriate link below the Sign In button and follow the self-service prompts. For assistance, contact HealtheConnections.*



3. When prompted, complete the multi-factor authentication (MFA) process

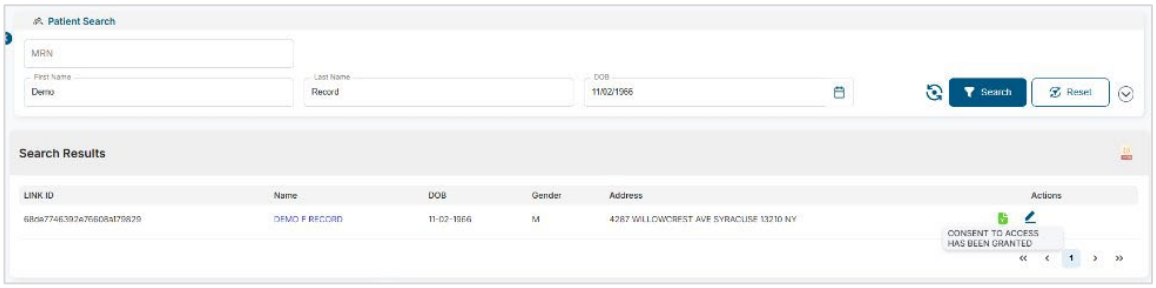


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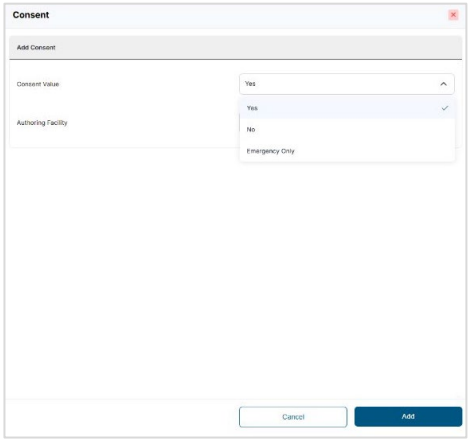
Patient Search & Consent

Locate the correct patient and review the consent on file for your organization. If you need to add consent, use the patient's signed consent form to select the appropriate value.

1. Search for a patient using Patient Search/Lookup. Under Search Results, locate the correct patient for your search. Verify the consent on file by hovering over the document icon.



2. To add consent, click on the pencil icon, choose the appropriate value based on the patient's signed consent form for your organization, and click Add.

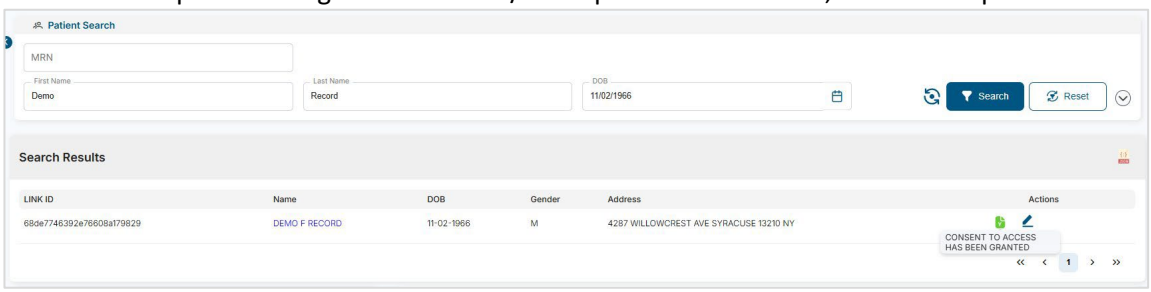


3. Organizations that are connected to us and configured to send us consents can enter consent electronically through their EMR; patient consent is automatically added to the patient's record.

Break the Glass

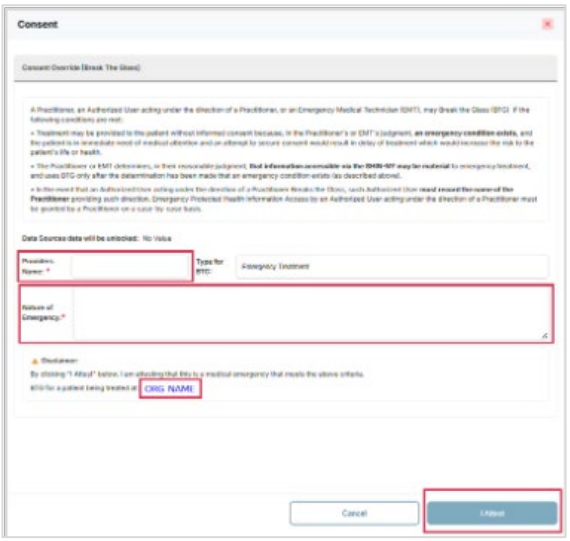
For eligible organizations, the steps below explain how to use Break the Glass during a qualifying medical emergency. Review the eligibility and documentation requirements under Consent Actions before using this option.

1. Search for the patient using Patient Search/Lookup. In Search Results, click on the patient's name.



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2. Follow the prompts to utilize the Break the Glass consent action.
    a. Click Yes to add a consent value.
    b. Click No to proceed with Break the Glass
    c. Complete the required information needed before accessing the patient's record (i.e., nature of the emergency and authorizing provider)

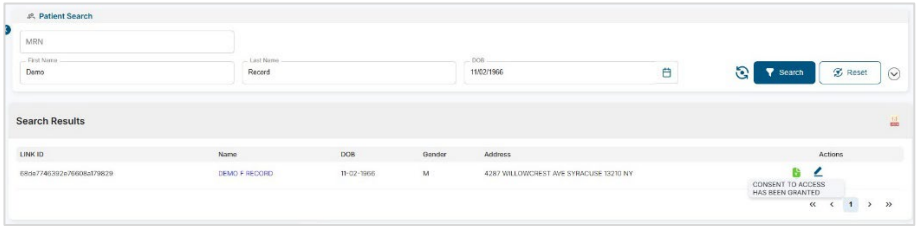


3. For more information, review the step-by-step instructions in the HIE User Guide located in the Resource Center.

Minor-Consented Services Override

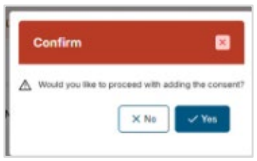
The steps below explain how to use this consent action in the portal when the requirements outlined under Consent Actions are met. Review those requirements before proceeding.

1. Search for the patient using Patient Search/Lookup. In Search Results, click on the patient's name



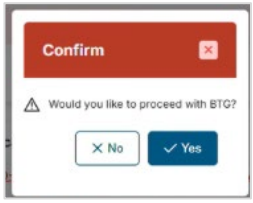
2. Follow the prompts to utilize the Minor Consented Services Override consent action.

3. In the first prompt, click Yes to add a consent value from parent/guardian or No to proceed with Minor Consented Services Override.

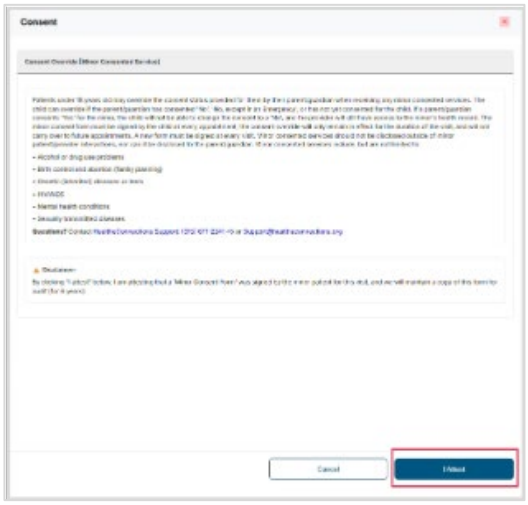


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4. In the second prompt, click Yes to Break the Glass or No to add a Minor Consented Services Override.



5. Review the on-screen instructions and click I Attest.



6. For more information, review the step-by-step instructions in the HIE User Guide located in the Resource Center.

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Resources and Support

Use this section to find help, training materials, and ongoing updates related to HIE access and consent management. Contact HealtheConnections Support or your RHIO Administrator for assistance. If you do not know who your RHIO Administrator is, contact support@healtheconnections.org.

HealtheConnections Support

- support@healtheconnections.org
- 315-671-2241 ext. 5

Training Guides & Materials

- HealtheConnections Resource Center

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