


Important Changes to Substance Use Information

SAMHSA Part 2 Data



Regional Health Information Organization

Agenda

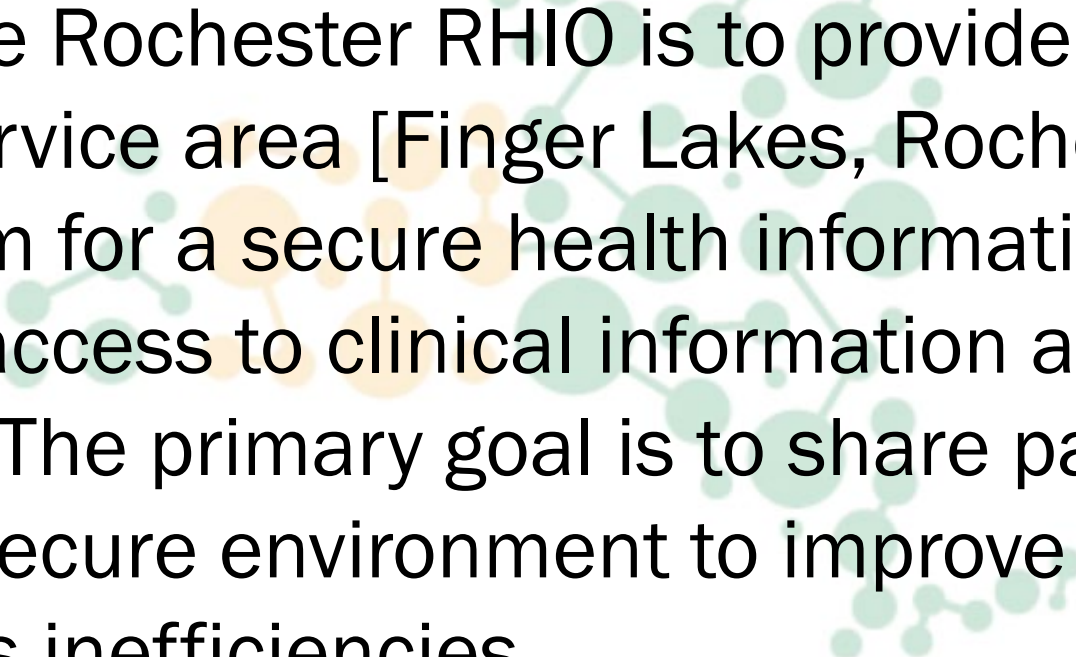
- **Introduction**
 - **Background Leading to Change**
 - **Frequently Asked Questions**
 - **Best Practices for RHIO Users**
 - **Take Aways**
- 

Introduction



Our Mission

The mission of the Rochester RHIO is to provide the greater Finger Lakes medical service area [Finger Lakes, Rochester, Southern Tier] with a system for a secure health information exchange that allows for timely access to clinical information and improved decision making. The primary goal is to share patient healthcare information in a secure environment to improve patient care and to reduce systems inefficiencies.



Purpose

Rochester RHIO is implementing changes to our secure health information exchange to include the sharing of Part 2 data by **March 31, 2019**, and is initiating a comprehensive program to help providers and patients understand what secure Part 2 data sharing means, including how sensitive Part 2 health information should be used and handled appropriately.

Crisis in America

In 2017...

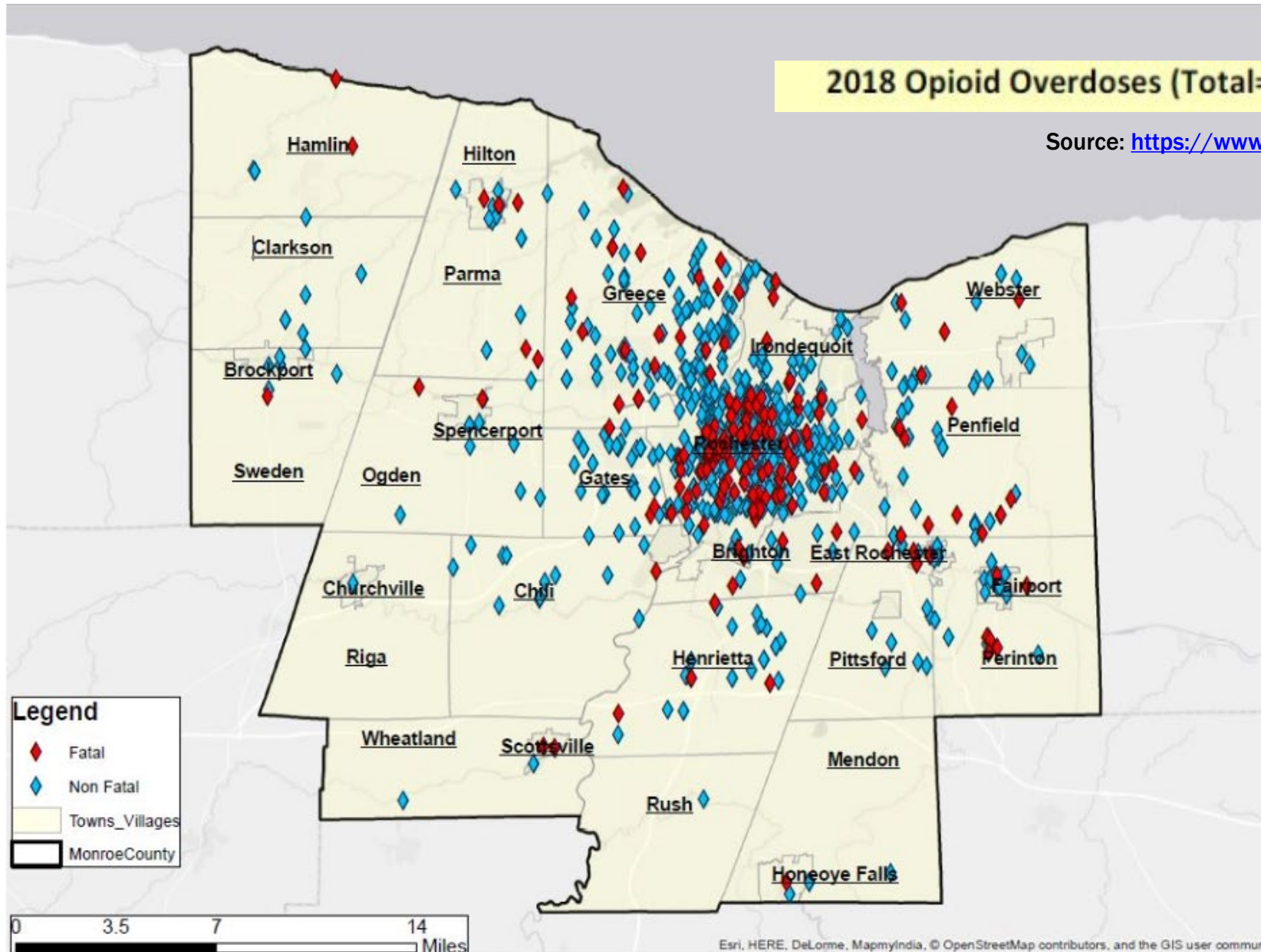
- **11.1 million Americans reported misuse of prescription opioids.**
- **Nearly 900,000 reported heroin use.**
- **2.1 million had an opioid use disorder in the past year.**
- **In 2016, more than 42,000 Americans died from opioid overdose.**



Crisis in America

2018 Opioid Overdoses (Total= 1133: 967 non-fatal, 166 fatal)

Source: <https://www2.monroecounty.gov/sheriff-heroin-task-force>



What is SAMHSA, Part 2 data?

The Substance Abuse and Mental Health Services Administration (SAMHSA) is a federal agency under the U.S. Department of Health and Human Services.

SAMHSA, or Part 2, data is a term that applies to any services received at a federally-assisted facility, provider, or clinic for the treatment of a substance use disorder or behavioral health.



U.S. Department of Health & Human Services

SAMHSA

Substance Abuse and Mental Health
Services Administration

Background Leading to Change



- In 2017, SAMHSA issued a Final Rule making it legal for organizations s like Rochester RHIO to exchange Part 2 data.
- Effective March 21, 2017. 1st major update to SAMHSA in 30 yrs.
- In 2018, SAMHSA issued another Final Rule amending the law, providing additional clarification and security for Part 2 data sharing through organizations like Rochester RHIO.
(February, 28, 2018)



Rochester RHIO complies with all applicable federal and state requirements.

- Legal framework (SAMHSA rulings 2017, 2018)**
- NYSDOH approved consent form**
- Electronic Re-Disclosure Notices in Place
(part of the SAMHSA rule)**
- Support from NYS OASAS**
- Support from key Rochester RHIO healthcare stakeholders**

Community Support Highlights

- In 2018, we gathered stakeholders from RHIO participating organizations to focus on Part 2 data inclusion and implementation.
- Reviewed legal & policy authority for sharing Part 2 data through the RHIO.
 - Rochester RHIO is a QSO (Qualified Service Organization) and Rochester RHIO includes mandatory redisclosure warnings.
 - Changes to SAMHSA regulations (2017 & 2018)
 - Support by NYS OASAS for inclusion of Part 2 data.
- Discussed challenges of change.
 - Informed patient consent (written authorization)
 - Frontline providers wary of sharing this data
- Previewed implementation plan options.
 - Implementation plan
 - Strategic communication plan

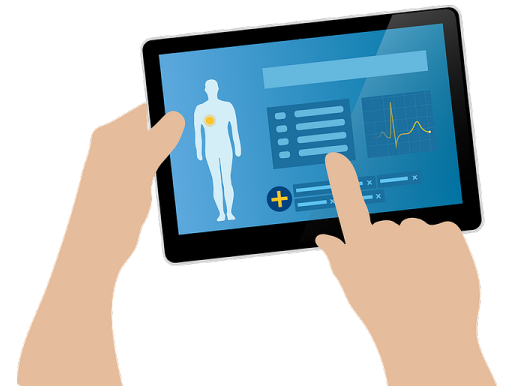


Frequently Asked Questions



How will I know if specially protected substance use information is available for a patient?

Specially protected substance use and behavioral health data will be included in an individual's medical history along with other health information. However, it may not be flagged as such.



Clinicians and providers should presume that Part 2 data may be present when reviewing patient information from Rochester RHIO.

Frequently Asked Questions

Lab information that is considered “Part 2” data will be identified in RHIO Explore under the Laboratories box with “SAM” Suffix.

Rochester, Jane F 05/15/1938 (79 yrs) (Community ID:1333)
 123 Any Street Lane, Rochester, NY 14609

Summary | More Patient Information | Statewide Data

Inpatient Encounters (3)

Date	Admission Type	Source
08/11/2013		FFTH
08/11/2013	1	SH
08/11/2013	**	FFTH

Emergency Encounters (1)

Date	Admission Type	Source
12/27/2011	E	WCCHS

Ambulatory Encounters (2)

Date	Admission Type	Source
07/23/2014		UHS
03/05/2013		BII

Laboratories (3)

Date	Name	Source
08/13/2013	INR	FFTH
08/11/2013	INR	FFTH
08/11/2013	Lipase, Comp.	ACM SAM

Transcriptions (4)

Date	Name	Source
07/23/2014	EC Provider ...	UHS
08/12/2013	ED MD REP...	SH
08/12/2013	ED NUR REP...	SH
08/12/2013	ED DIS REP...	FFTH

Imaging (9)

Date	Name	Source
11/14/2014	DIAGNOSTI...	EWBC
07/23/2014	CHEST 2 VI...	EDGE2
09/14/2013	CT ABDOM...	UHS
09/14/2013	CT ABDOM...	EDGE2
03/06/2013	HIP RT MIN...	HTMDI
03/04/2013	XR, LUMB ...	EDGE2
03/04/2013	XR, LUMB ...	BII
01/19/2011	ABDOMINA...	NHNMH
03/24/2010	UPPER GI ...	NHNMH

RHIO Explore: RHIO Repository C-CDA

REPOSITORY Esbee, Dee Female 12/04/1962 (55 yrs) (Community ID: 1366392670) ROCHESTER RHIO

Created From: 7/1/2017 Created To: 5/16/2018 Document Source: Select
 Service Started: MM/DD/YYYY Service Ended: MM/DD/YYYY Document Author: Select
 Title: Title [Filter] [Clear]

Patient Actions

- Back to List
- Download CCD
- Download CCDA CCD
- Download Summary PDF
- Configure Layout
- Filter Displayed Items By Date
- Statewide Data
- HIF Worklist
- Query RHIO Repository**
- Query PCN

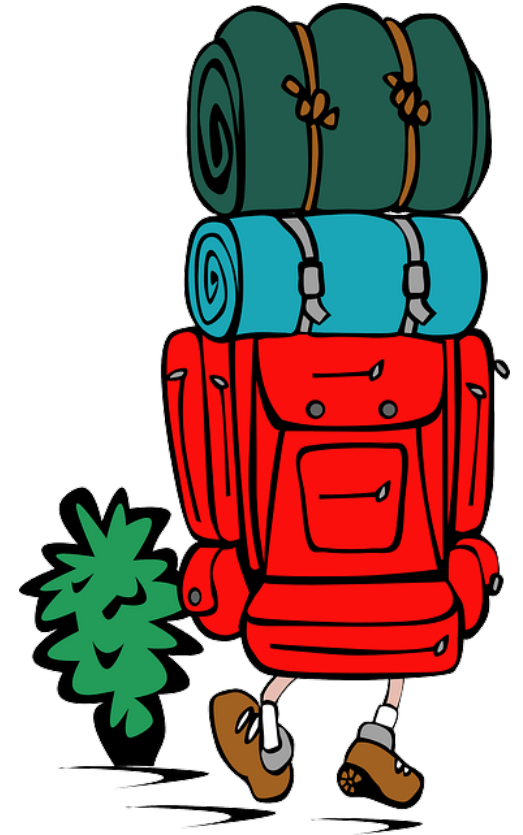
Document List

Title	Created Date
Junie Jones Progress Note UD - Summarization of episode note	Oct 5, 2017
HGilmore UD - Summarization of episode note	Oct 5, 2017
Junie Jones Consult Letter UD - Summarization of episode note	Oct 5, 2017

*List of SAMHSA Sources available at <https://providerportal.grrhio.org/DataSources>

What is this extra layer of protection for specially protected substance use information?

The federal government doesn't allow the re-disclosure of specially protected substance use or behavioral health information (Part 2) to another provider unless you have the express written authorization from the patient to do so.



What if I need to refer a patient?

The presence of specially protected substance use data doesn't change your ability to refer patients, but patients who have Part 2 data contained in their RHIO record must provide a written authorization to have their Part 2 data re-disclosed to another provider.



What happens if someone re-discloses Part 2 data without authorization?

Whether intentional or inadvertent, re-disclosure of Part 2 data without authorization can carry significant penalties. Please ensure that you and your colleagues understand how to treat a patient's specially protected substance use and behavioral health information.



Can my patients control who has access to their data?

Yes! Patients have control over which providers are able to access their information. Patients may give written consent for each provider they wish to have access; in some instances, this consent may provide access across an entire health or hospital system (if that system is deemed a single HIPAA-covered entity).



Is the Rochester RHIO consent form up-to-date?

Yes! In 2017, federal SAMHSA regulations were updated. The changes affected health information organizations like Rochester RHIO. As a result, Rochester RHIO's consent form was updated and approved by the New York State Department of Health in 2017.



How does a patient provide consent for Rochester RHIO?

Rochester RHIO is designed to help protect patient privacy. In order for a provider to access a patient's healthcare record through Rochester RHIO's Explore query portal, a patient must fill out and sign a Rochester RHIO consent form.

My Consent Choice. ONE box is checked to the left of my choice.

I can fill out this form now or in the future.

I can also change my decision at any time by completing a new form.



I GIVE CONSENT for above-named Provider Organization, or Health Plan or reference to a list of specific Provider Organizations and/or Plans to access ALL of my electronic health information through Rochester RHIO to provide health care services (including emergency care).



I DENY CONSENT for above-named Provider Organization, or Health Plan or reference to a list of specific Provider Organizations and/or Plans to access my electronic health information through Rochester RHIO for any purpose, **even in a medical emergency (except for minor patients)**.

Rochester RHIO's consent form is compliant with all state and federal regulations.

With a signed RHIO standard consent form, provider organizations and/or health plans chosen by the patient may access all of a patient's ePHI available through Rochester RHIO including sensitive health information. This includes specially protected substance use and behavioral health information covered by the federal SAMHSA 42 CFR Part regulation. This includes:

- **PHI created before/after the date the consent form is signed.**
- List of medications taken by the patient.
- Sensitive health conditions, including, but not limited to:
 - Alcohol or drug use
 - Birth control and abortion (family planning)
 - Genetic (inherited) diseases or tests
 - HIV/AIDS
 - Mental health conditions
 - Sexually transmitted diseases



How do I help a patient provide informed consent?

This is a suggested script that office staff, nurse or other professionals can use to explain what the Rochester RHIO consent form is. We encourage them to provide the Rochester RHIO information brochure with the form, and refer people to rochesterrhio.org or 877-865-7446 for more detailed information.

Suggested Wording for Most Care Settings

This is a consent form that would allow [INSERT PRACTICE NAME] to access to your medical records electronically through Rochester RHIO. If you say “yes,” it will help us to obtain health information we need from other labs or doctors you see as part of your treatment. This consent choice means that your health information, including specially protected substance use or behavioral health information, will be available to all the authorized users within our [insert name of organization here] hospital, organization, or practice.

See additional notes below:

You also have the option to not sign a RHIO consent at this time, or to sign a RHIO Consent and select No which would deny this organization from access to your information. You also have the option to opt out of the Rochester RHIO all together. Please refer to the toll free number on the RHIO Patient Brochure to request this form or for any questions you may have on the Rochester RHIO: 877-865-7446 (RHIO).

What is the form that a patient signs to deny ALL providers access to their clinical information to Rochester RHIO services gated by consent?

A RHIO-Wide Denial of Access form must be notarized and submitted to Rochester RHIO directly. This form prevents user access even in the event of an emergency. This form cannot be submitted by a physician or provider. The patient must call and submit the RHIO-Wide Denial form. (RHIO does provide a notary service).

Note: Patients consent to RHIOs in other parts of New York State should reach out to those RHIOs directly to modify their consent choice for service areas outside of the greater Finger Lakes region.

ROCHESTER **RHIO**

Regional Health Information Organization

RHIO-WIDE DENIAL OF ACCESS FORMAuthorization to Deny Access to Patient Information
through a Health Information Exchange Organization

Patient Name	Date of Birth
Patient Address	

In completing this form, I request that health information regarding my care and treatment NOT be accessed by any health care providers and health plans through the Rochester RHIO, even in the event of an emergency.

The choice I make in this form will NOT affect my ability to get medical care.

- I DENY CONSENT** for ALL Health Care Providers, Provider Organizations and/or Health Plans participating in the Rochester RHIO to access my electronic health information through the Rochester RHIO, even in a medical emergency.

Can a RHIO-Wide Denial be reversed?

Yes! If a RHIO-Wide Denial form has been processed at a previous date, and a patient would like a particular provider to have access to RHIO information, the patient can complete the RHIO-Wide Change Denial Access form. This form must also be notarized, and cannot be submitted by a physician or provider. The patient must call and submit the Change form to Rochester RHIO directly. (RHIO does provide a notary service).

Note: Patients consent to RHIOs in other parts of New York State should reach out to those RHIOs directly to modify their consent choice for service areas outside of the greater Finger Lakes region.

ROCHESTER **RHIO**

Regional Health Information Organization

RHIO-WIDE CHANGE DENIAL OF ACCESS FORMChange of RHIO-Wide denial of access to patient information
through a Health Information Exchange Organization

Patient Name	Date of Birth
Patient Address	

- CHANGE OF RHIO-WIDE DENIAL OF CONSENT.** I previously denied consent to the release of health information to and by the Greater Rochester Regional Health Information Organization (Rochester RHIO) by signing a RHIO-WIDE DENIAL OF ACCESS form. I have changed my mind and would like to revoke (cancel) my RHIO-WIDE DENIAL OF ACCESS. By signing this Change of Global Consent form I am revoking my denial of access.

Can a patient request a report to see which organizations they've consented to?

Yes! Patients can request a report of a list of the organizations they've consented that have access to view their health information through Rochester RHIO's health information exchange. To request an audit report, or to get more information, call the RHIO Support Center at 1-877-865-7446 (RHIO). Patients are entitled to one free report a year.

For more information refer to the Rochester RHIO [Audit Policy](#).

Can a patient request a report to see who has viewed their health information?

Yes! Patients can request a report of anyone who has viewed their health information through Rochester RHIO's health information exchange. To request an audit report, or to get more information, call the RHIO Support Center at 1-877-865-7446 (RHIO). Patients are entitled to one free report a year.

For more information refer to the Rochester RHIO [Audit Policy](#).

Best Practices



Seek written authorization for every referral.

When a patient is referred, he or she must sign a separate, written authorization for you to share their specially protected (Part 2) data with a new provider. In addition, that provider or practice should obtain a signed RHIO consent form to view patient data through Rochester RHIO.



Do Not Forward Specially Protected Healthcare (Part 2) Information

A provider may be liable if they share Part 2 data with another provider without the patient's express written authorization. Do not assume this has been obtained. This authorization is separate from the signed RHIO consent form.



Use Your Own Login and Password

If another member of your practice logs into RHIO Explore with your username and password and re-discloses SAMHSA Part 2 substance use information, you may be liable. Use your own login credentials, and do not provide them to anyone else.



Educate Your Peers

The Rochester RHIO Standard Patient Consent form was updated in 2017 to be compliant with federal and state requirements for SAMHSA Part 2 substance use information sharing. Keep in mind that any individual within an organization may be able to access patient data through Rochester RHIO for business purposes, including billing, auditing, or medical treatment. Please help ensure that your team is aware of Part 2 data protection best practices.



Consult Your RHIO Administrator

Have a question? Ask your RHIO Administrator for help, or contact Rochester RHIO at 1-877-865-RHIO (7446). To learn more, go to rochesterhio.org.



Take Aways

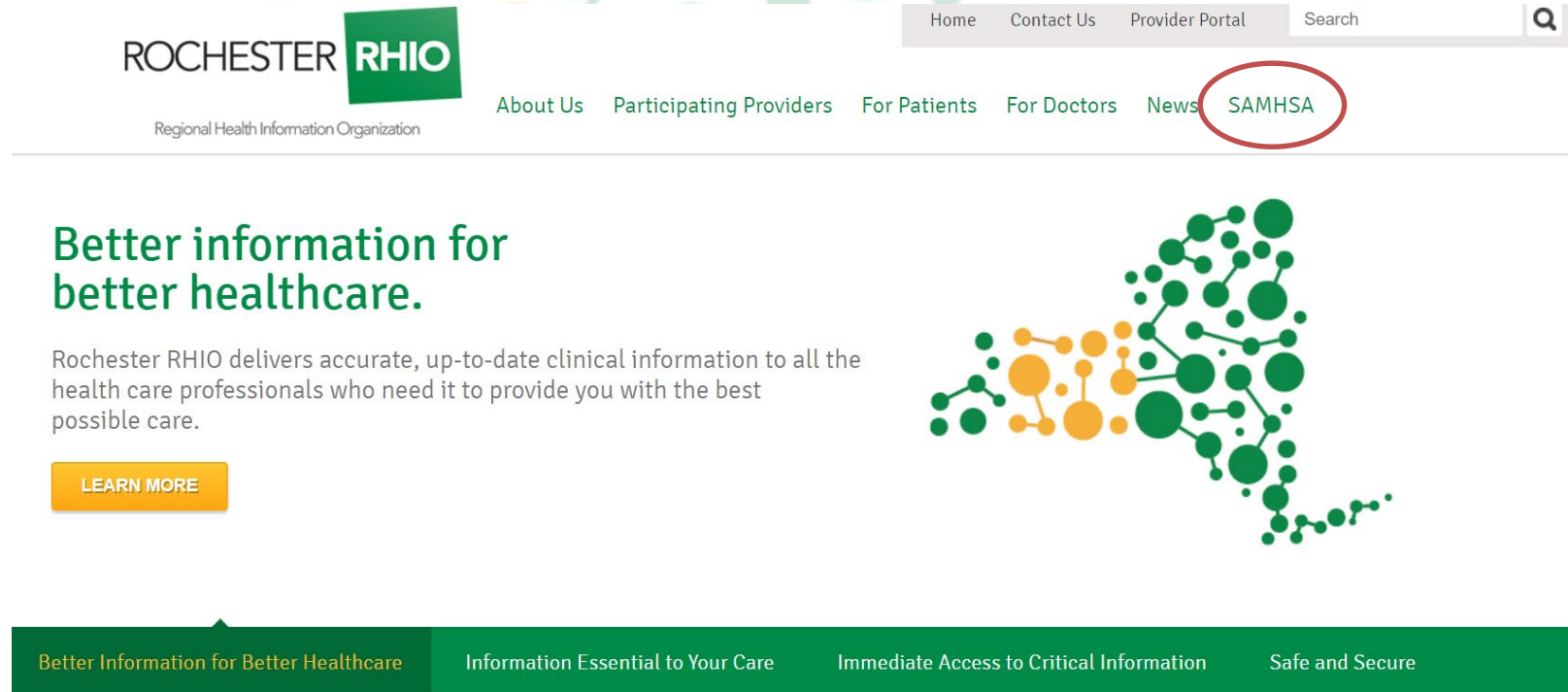


Take Aways

- Are you downloading or printing data from the RHIO? Take more care in handling data.
- Are you getting informed consent from patients? Take the time to inform patients about the RHIO and the data that is available. Use the recommended consent script (included in this presentation).
- If you have any questions at any time, please give us a call. We are happy to answer any questions, or to set up in-person informational sessions for your team.



We have materials that we can provide you with to help spread the word about the Part 2 data changes in Rochester RHIO. Go to rochesterrhio.org and click “SAMHSA”.





Questions?

Thank you!

Rochester RHIO www.RochesterRHIO.org
Support Center 877.865.7446 | support@grrhio.org