

ND Health Information Network – Legal & Policy Domain Workgroup

June 4, 2014 Minutes
9:00 AM – 10:30 AM CST

Attendees:

Y Patti Kritzberger, Co-Chair ND Healthcare Review	N JoAnne Hoesel MHSAS	Y Claire Ness Attorney General's Office
N Jenny Witham, Co-Chair Department of Human Services	N Amy Hornbacher St. Alexius	Y Chad Peterson Information Technology Department
N Art Bakke Information Technology Department	Y Jerry Jurena ND Hospital Association	N Karen Rohr ND Representative
Y Tina Gagner, RN Information Technology Department	Y Courtney Koebele ND Medical Association	N Tami Ternes Governor's Office
N Raymond Gruby, MD Intelligent InSites	N Jennifer Kunz Information Technology Department	N John Vastag BCBS
N June Herman American Heart Association	N Judy Lee ND Legislature	N Marnie Walth Sanford Health
N David Hill Sanford Health	N Jeremy Lunde Department of Human Services	Y Sheldon Wolf Information Technology Department
N Robin Hirsch Information Technology Department	Y Mike Mullen Legal Liaison	Y Reed Hase REACH
		Y Megan Houn BCBS

1. Welcome, roll call
2. Meaningful Use NPRM (Notice of Proposed Rule Making) – Reed Hase, REACH
 - Announced May 20th with comment period from May 23 – July 22
 - One of the variables is when this will go into effect as it will impact the timeline for Eligible Hospitals and Eligible Providers for Meaningful Use. Eligible Hospitals reporting requirements are based on a fiscal year and for Eligible Providers it is a calendar year.
 - NPRM covers 2 things
 - i. Relaxation of requirement to have 2014 EHR certified technology in place
 - ii. Extends MU Stage 2
 - The link for the NPRM is available at <https://s3.amazonaws.com/public-inspection.federalregister.gov/2014-11944.pdf>
3. ND Health Information Network Update - Sheldon Wolf
 - The NDHIN query based services are live with a little over 300,000 individuals in the state with unique IDs in the system.
 - NDHIN is working on rolling over from Direct Secure Messaging (DSM) 1.0 to 2.0. This new version is certified and allows for HISP to HISP connection as well as connection with the federal government
 - Work continues on PDMP (Prescription Drug Monitoring Program) and the Patient Portal as well as with the eHealth Exchange

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4. 42 CFR Part 2 Listening Session (June 11) – Mike Mullen
 - Agenda
 - i. There is concern that moving to EHR and HIEs complicates things because of the strict consent requirements for the disclosure of information from drug treatment programs. Some HIEs feel it is too complicated/burdensome so they are excluding this type of information that is subject to 42 CFR Part 2. SAMHSA, federal organization of HHS that oversees drug abuse treatment programs, would like to explore in this listening session if there are ways they can modify the 42 CFR Part 2 regulations to make it easier to facilitate the use of EHRs within the restrictions of 42 CFR Part 2.
 - The link to register for the listening session is available at <http://www.samhsa.gov/healthprivacy/>

5. Individuals accessing their medical information through the NDHIN Clinical Portal
 - Discussion was held on whether individuals should be able to access their or a family member's medical information through the NDHIN Clinical Portal. Consensus from those on the call was that NDHIN should develop a policy restricting this.
 - i. **Action Item:** Mike/Claire to work on developing a policy

NEXT MEETING: July 2, 2014 9:00 AM – 10:30 AM (CST)