

Your Rights Regarding Electronic Health Information Exchange

As explained above, health care providers and health plans may use and disclose your health information without your written authorization for purposes of treatment, payment, and health care operations. Until now, providers and health plans have exchanged this information directly by hand-delivery, mail, facsimile, or e-mail. This process is time consuming, expensive, not secure, and often unreliable.

Electronic health information exchange, or HIE, changes this process. New technology allows a provider or a health plan to submit a single request through a health information organization, or HIO, to obtain electronic records for a specific patient from other HIE participants.

On January 5, 2011, Governor Mark Parkinson signed an Executive Order legally incorporating the Kansas Health Information Exchange, or KHIE, regulating HIOs operating in Kansas. Only properly authorized individuals may access information through an HIO operating in Kansas, and only for purposes of treatment, payment or health care operations. Currently, the Kansas Health Information Network and the Lewis and Clark Health Information Exchange are the only recognized HIOs in Kansas.

On April 17, 2013, Governor Sam Brownback signed the Kansas Health Information Technology Act (KHIT). The primary objective is to transfer the duties of KHIE to the Kansas Department of Health and Environment (KDHE). KHIT, along with the transfer of responsibilities, will become effective on July 1, 2013.

Under Kansas law, you have the right to decide whether providers and health plans can access your health information through an HIO. You have two choices. First, you can permit authorized individuals to access your electronic health information through an HIO for treatment, payment, or health care operations only. If you choose this option, you do not have to do anything.

Second, you can restrict access to all of your electronic health information through any HIO operating in Kansas with the exception of access by properly authorized individuals

as needed to report specific information as required by law (for example, reporting of certain communicable diseases or suspected incidents of abuse).

If you wish to restrict access, you must complete and submit the required form to KHIE. You must provide specific information needed to put your requested restrictions in place. The form is available at <http://www.khie.org>. You cannot request restrictions on access to certain information and permit access to all other information; your choice is to permit access to all of your information or restrict access to all of your information.

For your protection, each request is subject to verification procedures which may take several days to complete. Your failure to provide all information on the required form may result in additional delay.

Once your request has been processed, your electronic health information no longer will be available through HIOs operating in Kansas except for mandatory reporting requirements. You may change your mind at any time and permit access by submitting another request to KHIE.

Please understand your decision to restrict access to your electronic health information through an HIO will limit your health care providers' ability to provide the most effective care for you. By submitting a request for restrictions, you accept the risks associated with that decision.

If you have questions regarding electronic health information exchange or HIOs, please visit <http://www.khie.org> for additional information.

Your decision to restrict access to your electronic health information through an HIO does not impact other disclosures of your health information. Providers and health plans may continue to share your information directly through other means (such as by facsimile or secure e-mail) without your specific written authorization.