PHN^{IQ} User Group Series:
21st Century Cures Act
What Clinicians Need to Know and eCW Tools to Assure Success

April 15th

12:00pm – 12:45 pm

A collaboration between PHN^{IQ}, eClinicalWorks and PHN^{IQ} practices

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Notes About Today's User Group:

- All lines are muted throughout the presentation.

- Please use the **CHAT** box to ask questions or make comments.

- During the Q&A , please unmute yourself or use the CHAT box

- We will be recording the session.

- Please turn on your webcam if you have the functionality

- Today's recordings and materials will be posted to the PHN website following the presentation.

https://pediatrichealthnetwork.org/

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Upcoming User Group Sessions

Our virtual User Group Series is focused on collaborative learning, strengthening and optimizing practices success with eClinicalWorks. The series will feature speakers from eClinicalWorks, IQ Network Practices and the Pediatric Health Network.
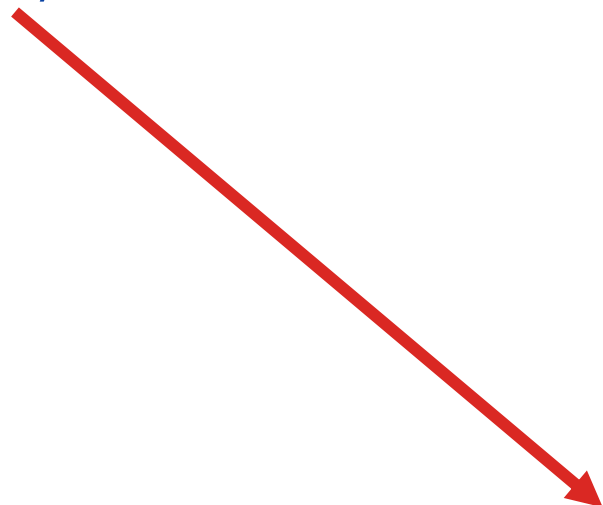
May 20, 2021
12-12:45 PM

Population Health, HEDIS, Comprehensive Care Management and PCMH

For more information and to register, please visit
https://pediatrichealthnetwork.org/phniq-user-group/

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Where to Find PHN^{IQ} Online

Visit https://pediatrichealthnetwork.org/phn-services/ to find all the information you need on PHN[IQ]

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2021 Future of Pediatrics Talks:
A Virtual Summer Series!

This year's Future of Pediatrics program will be offered as a bi-weekly virtual series. We are planning six 1-hour webinars, each consisting of two 30-minute talks.

We are now soliciting speakers and topics for these 30-minute CME presentations. **Proposals are due by Friday, April 16.**

Proposals and questions can be emailed to **phn@childrensnational.org**. Visit our **PHN Website** for more information.

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June 15 @ 12-1PM

June 29 @ 12-1PM

July 13 @ 12-1PM

July 27 @ 12-1PM

August 10 @ 12-1PM

August 24 @ 12-1PM

Agenda

Time	Item	Speakers
5 mins	Introductions, Updates and Overview	Caroline S. Brozak
15 mins	Overview of 21st Century Cures Act for Pediatricians	Sandy Chung, MD, Trusted Doctors, Fairfax Pediatrics
10 mins	eClinicalWorks Tools	Amir Ahmed, eClinicalWorks
10 mins	Question and Answers	Team
5 mins	Next Steps	Caroline S. Brozak

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Meet Our Presenters

Sandy Chung, MD, FAAP, FACHE
Trusted Doctors, Fairfax Pediatrics
Pediatric Health Network

Amir Ahmed
eClinicalWorks

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21ˢᵗ Century Cures Act – Impact on Pediatricians

Sandy Chung, MD, FAAP, FACHE
Trusted Doctors
Fairfax Pediatrics
Pediatric Health Network, Medical Director of Informatics

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From ONC (The Office of the National Coordinator for Health Information Technology):

- The patient is at the center of the 21st Century Cures Act. Putting patients in charge of their health records is a key piece of patient control in health care, and patient control is at the center of HHS' work toward a value-based health care system.

- **The ONC Cures Act Final Rule** implements interoperability requirements outlined in the Cures Act. Patients need more power in their health care, and access to information is key to making that happen.

What It Means for Clinicians and Hospitals

Making Patient Data Requests Easy and Inexpensive

Allowing Choice of Apps

Implementation

Improving Patient Safety

What is Information Blocking?

"In general, information blocking is a practice by a health IT developer of certified health IT, health information network, health information exchange, or health care provider that, except as required by law or specified by the Secretary of Health and Human Services (HHS) as a reasonable and necessary activity, is likely to interfere with access, exchange, or use of electronic health information (EHI)." – from ONC

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Like what?

Restricting <mark>access, exchange or use</mark> of information (within what is allowed by law)

Implementing health IT in nonstandard ways to make it more complex to access, exchange or use EHI (Electronic Health Information)

Restricting access, exchange, or use of EHI for exporting or transitioning between health IT system

Leads to fraud, waste or abuse, or impedes advances in health IT

If I Deny This Request, Is It Information Blocking?

Is the health information requested considered EHI?

USCDI

until October 2022

USCDI – US Core Data for Interoperability

ePHI that is part of DRS

after October 2022

Excludes psychotherapy notes and information for civil, criminal or administrative action

NO → The request is not subject to information blocking rule.

YES

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U.S. Core Data for Interoperability (USCDI)

Until Oct 6, 2022,

Allergies/Intolerances

Assessment/Plan

Care Team Members

Clinical Notes

Goals

Health Concerns

Immunizations

Laboratory

Medications

Patient Demographics

Problems

Procedures

Provenance

Smoking Status

Unique Device Id for Implantable Device(s)

Vital Signs

https://www.healthit.gov/isa/united-states-core-data-interoperability-uscdi

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U.S. Core Data for Interoperability (draft) V2

Expanded set after Oct 6, 2022,

Allergies/Intolerances

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Encounter Information

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Smoking Status

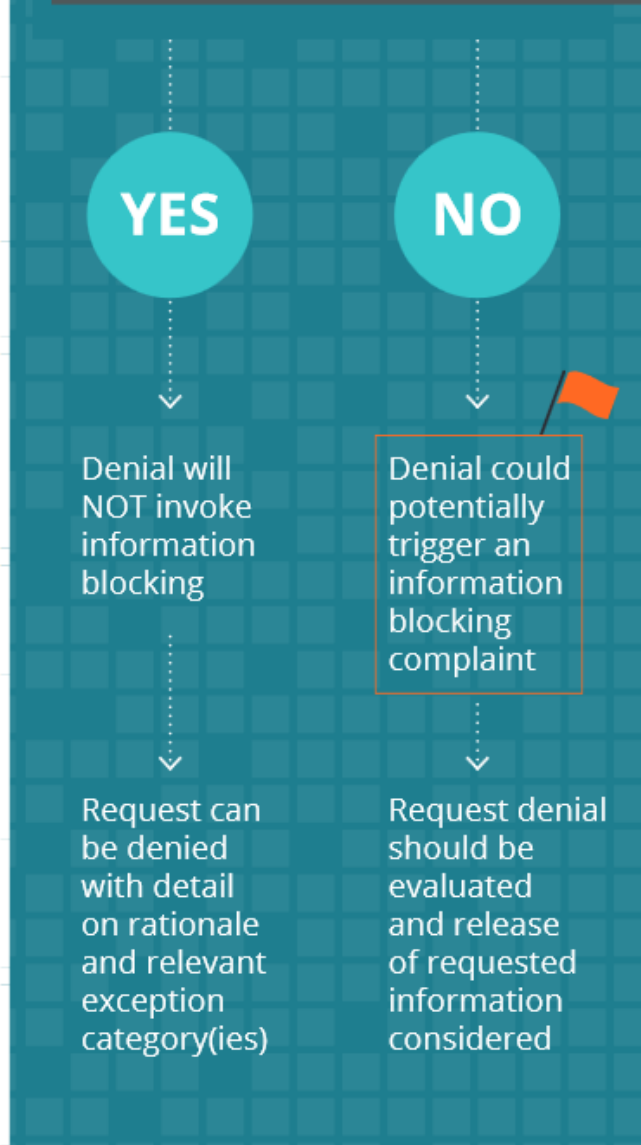Unique Device Id for Implantable Device(s)

Vital Signs

Diagnostic Imaging

https://www.healthit.gov/isa/united-states-core-data-interoperability-uscdi

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NOT information blocking if you ...

Preventing Harm	Hold a reasonable belief that the practice will substantially reduce a risk of harm to a patient or another person
Privacy	Believe use or disclosure of EHI is prohibited under state or federal privacy laws and meets at least one of four sub-exceptions
Security	Implement a qualifying organizational security policy or a qualifying security determination
Infeasibility	Meet one of three conditions – uncontrollable events, segmentation, infeasibility under circumstances – and you provide a written response to the requestor within 10 business days stating the reason for infeasibility
Health IT Performance	Make health IT temporarily unavailable or degrades performance to benefit overall performance of the health IT
Content and Manner	Limit the content of its response or the manner in which it fulfills a request to access, exchange or use EHI provided certain conditions are met
Fees	Charge fees related to the development of technologies and provision of services that enhance interoperability
Licensing	Charge reasonable royalties to protect the value of their innovations and to earn returns on the investments they have made to develop, maintain, and update those innovations

Does the reason for denial fit in at least one of the exception categories?

YES → Denial will NOT invoke information blocking → Request can be denied with detail on rationale and relevant exception category(ies)

NO → Denial could potentially trigger an information blocking complaint → Request denial should be evaluated and release of requested information considered

Eight exceptions

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IMPORTANT DATE - April 5th

OIG still defining fines and penalties

Applies to ALL healthcare providers and entities that have electronic health information

Fines and penalties will not be retro to April 5th

However, patients can report a violation starting April 5th

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What should you do ASAP?

Figure out with your EHR system how to prevent confidential information from transmitting to portal, to health information exchange, to any place you share data.

Confidential information (in particular for adolescents) has laws that govern what cannot be shared without the permission of the adolescent.

Consider other confidential information in your patient's chart (i.e. mother's substance use history for a baby with NAS)

Have a written policy posted that explains how you are complying with the law

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Practice Checklist

o Identify your practice's current method(s) of providing information to patients/caregivers (such as paper copies, fax, encrypted email, PDFs, etc.).

o The 21st Century Cures Act states that if patients/representatives ask for their information in an electronic format, you have to provide it electronically.

o Identify the ways in which your practice can provide information to families in an electronic format (CCDA, portal access to their records, through an API, etc.).

o Create a gap analysis of what practices are required to do and what you currently provide (both in the process in which you get and respond to requests, and in the form that information is provided).

o Does your EHR have features that you have not enabled or implemented?

Create Your Practice Information Blocking Policy

Outlines how you share information with patients/caregivers both on-demand/self-serve and by request

Delineates what(if any)information you protect, how, and why - including jurisdictional mandates

Lists any identified gaps in your ability to meet the requirements of the 21st Century Cures Act and your plans to close them

Outlines your practice policy for monitoring your compliance with the 21st Century Cures Act

Delineates your practice policy and procedures for handling any complaints about information blocking

Hold a provider meeting to ensure alignment and then review with the entire practice team.

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Helpful Resources

- ONC 21st Century CURES Act– What it means for me?

- https://www.healthit.gov/curesrule/what-it-means-for-me/clinicians

- Suzanne Berman, MD, FAAP's Information Blocking Guide (Dropbox link): http://bit.ly/infoblocking

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Thank you! Questions??
Sandy Chung
schung@tdmso.com

Q&A

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Thank you for your participation!

To find this webinar recording and more information, visit our website:

http://pediatrichealthnetwork.org

Email us at:

phnservices@childrensnational.org