Health Information Technology Oversight Council
Consent Implementation Subcommittee

Formed: October 2011

Meeting schedule: 1-2 times per month, for 2-4 months (to be adjusted as needed)

Purpose: Operationalize the opt-out consent policy

Objectives:

1. To help bring clarity and understanding to the operational questions and issues raised during the public comment process regarding the former proposed administrative rules to implement the opt-out consent policy
2. To help identify any additional operational questions or issues that need to be addressed
3. To help in re-drafting language to be included in future administrative rules to implement the opt-out consent policy

Membership: Representation from the Legal & Policy Workgroup, the Consumer Advisory Panel, and targeted community organizations and expertise

Some of the specific questions this group will discuss and provide input on:

1. What kinds of health information exchange should be subject to the opt-out consent policy regulations?
    a. How should "health information exchange" be defined for the purposes of these rules? (for example, Direct messaging or "push" HIE, versus query or repository-based HIE)
    b. Which types of data sharing relationships or scenarios should be subject to the rules? (for example, within versus between health systems or affiliated organizations)
    c. Which types of health care providers should be subject to the rules?

2. What are the most efficient and effective methods for providing a meaningful and informed choice to a patient to opt-out of health information exchange?

3. What are the technical limitations that providers face in implementing an opt-out? (for example, which EHR/HIE systems are designed to share patient data automatically between a patient's care providers?)