

December 2022 eNews

Welcome to the Office of Health Information Technology eNewsletter! Here you will find updates on health IT in Oregon and at the federal level. For a deeper dive into health IT in Oregon check out the [Policy and Program Updates](#). If there are specific items you would like to see in this newsletter, please send ideas to HITOC.INFO@odhsoha.oregon.gov.

State Highlights

Report to the Legislature: Community Information Exchange Recommendations

The Community Information Exchange (CIE) Workgroup held their final meeting on November 15, 2022. Members finalized their [Considerations for Privacy and Security of Statewide CIE](#) and [Recommendations for Governance of Statewide CIE](#), which will be the final contributions to the [House Bill \(HB\) 4150 \(2022\)](#) report. In their December 8 meeting, the Health Information Technology Oversight Council (HITOC) reviewed materials in preparation for the final report due to the legislature on January 31, 2023. Recommendations may lead to legislative action in the 2023 session.

HITOC submitted their [draft CIE report](#) to the legislature on September 9. The report includes a series of preliminary recommendations developed by the CIE Workgroup between April and July 2022, HITOC's comments on the recommendations, and findings from surveys and interviews with community based organizations (CBOs).

Please see the [CIE Workgroup website](#) for details on all the Workgroup's work. Thank you to all the Workgroup members for their hard work!

HITOC

December Meeting

HITOC [met on December 8](#) to discuss the final recommendations from the CIE Workgroup (see above) and add their comments to the report to the legislature. HITOC members voted to support the recommendation on privacy and security and remained neutral on the governance recommendations. HITOC also heard updates from the Health Information Exchange (HIE) Workgroup on their vision and proposed list of concept papers.

Federal Highlights

Comment Opportunity: Proposed Federal Rule changes re: Confidentiality of Substance Use Disorder Patient Records

The U.S. Department of Health & Human Services (HHS) is seeking public comment on proposed rule changes to Confidentiality of Substance Use Disorder Patient Records regulations.

- The regulations at 42 CFR part 2 ("Part 2") protect the confidentiality of substance use disorder (SUD) treatment records. Confidentiality protections help address concerns that discrimination and fear of prosecution deter people from entering treatment for substance use disorder.
- These changes are in response to requirements under the 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act, which requires HHS to align aspects of Part 2 with HIPAA rules

and the HITECH Act. The CARES Act also requires HHS to update HIPAA Notice of Privacy Practices requirements to address Part 2 protections and individual rights.

- Specifically, the proposed rule increases coordination among providers in treatment for substance use challenges and increases protections for patients concerning records disclosure to avoid discrimination in treatment.

HHS encourages all interested parties, including patients and their families, health plans, health care providers, health care professional associations, consumer advocates, and government entities, to submit comments. For more information, see the [announcement](#) and [fact sheet](#), review the [proposed rule](#) and [submit comments](#) by January 31, 2023.

Comment Opportunity: Proposed Federal Rule change re: Access to Health Information and Improving the Prior Authorization Process

The Centers for Medicare & Medicaid Services (CMS) issued a proposed rule that would improve patient and provider access to health information and streamline processes related to prior authorization for medical items and services. The rule proposes requiring certain payers to implement an electronic prior authorization process, shorten the time frames for certain payers to respond to prior authorization requests, and establish policies to make the prior authorization process more efficient and transparent.

The rule also proposes to require certain payers to implement standards that would enable data exchange from one payer to another payer when a patient changes payers or has concurrent coverage, which is expected to help ensure that complete patient records would be available throughout patient transitions between payers.

Finally, the rule also includes requests for information on:

- Standards for social risk factor data,
- The electronic exchange of behavioral health information among behavioral health providers,
- Improving the exchange of medical documentation between certain providers in the Medicare Fee-for-Service program,
- Advancing the Trusted Exchange Framework and Common Agreement (TEFCA), and
- The role interoperability can play in improving maternal health outcomes.

For more information, see the [announcement](#) and [fact sheet](#), review the [proposed rule](#) and [submit comments](#) by March 13, 2023.

Upcoming Events: OHA Health IT Meetings/Events

- January 13, 9:00-12:00: [HIE Workgroup monthly meeting](#)
- January 20, 1:00-3:00: CCO [HIT Advisory Group \(HITAG\) quarterly meeting](#)
- February 4, 2023, 12:30-3:30: [HITOC meeting](#)

Want to weigh in on OHA's Health IT work? How to make public comment:

OHA's Health IT committee and workgroup meetings (i.e., HITOC, HIE Workgroup, HITAG) are open to the public, and public comment is always welcome at the meeting during the specified time or in writing

at any time. Public comment is an important part of OHA's committee work and is an opportunity for members of the public to provide input and feedback to the Committee or Workgroup.

Meetings: Typically, the public comment period is held at the end of each meeting. There may occasionally be more than one comment period. Members of the public are asked to comment or post in the chat only during this period, and to keep verbal comments to about 2 minutes. The public comment period is held solely for the public to share their thoughts with the Committee or Workgroup. Committee members are unlikely to ask questions or respond to public comment directly but give consideration to public comments during committee work. If you know before the meeting that you'd like to provide public comment, you can email HITOC.INFO@odhsoha.oregon.gov to sign up. If you'd like to provide public comment during the meeting, you can message one of the hosts to sign-up. If you are unable to message, please speak up during the open public comment period.

Written Comment: You can also send written public comment to HITOC.INFO@odhsoha.oregon.gov at any time. To be included in the materials a meeting please submit the comment no less than 2 business days before the intended meeting. Please specify which group it is for – HITOC, HIE Workgroup, or HITAG. Written comment is emailed out and posted as part of meeting materials.

Have questions about public comment? We want to hear from you! Please email HITOC.INFO@odhsoha.oregon.gov