



Department of Health & Human Services  
Office of the National Coordinator for  
Health Information Technology

# Federal Health IT Privacy and Security Initiatives

Jodi G. Daniel, JD, MPH  
Director, Office of Policy and Planning

# Privacy and Security as a Foundation



# Federal HIT Privacy and Security Activities

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- **Regulations/Guidance**

- HIPAA Modifications and Guidance
- Breach Notification Regulations
- CMS EHR Incentive Program Regulations
- ONC Standards and Certification Criteria Regulations
- CLIA Guidance
- NHIN Governance
- PHR Privacy Notice
- Privacy and Security Framework – best practices

- **Research**

- De-identification
- Non-Covered Entity Protections
- Privacy White Papers

# ONC Privacy and Security Focus

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- **Selected Topics:**
  - Consumer preferences
  - De-identification
  - Protections for non-covered entities
  - Segmentation of data
  - Security implementation related to EHRs and information exchange



# State and Regional HIT Initiatives Related to Privacy and Security

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- State Health Policy Consortium
- State Health Information Exchange Grants
- Regional Extension Centers
- The Health Information Security and Privacy Collaboration (HISPC)
  - <http://healthit.hhs.gov/HISPC>
- The State Alliance for e-Health
  - [www.nga.org/center/ehealth](http://www.nga.org/center/ehealth)

# HISPC

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- **Started in 2006 to identify state-level variations in privacy and security business practices, policies, and state laws**
- **Evolved to focus on multi-state solutions for identified variations**
  - 7 multi-state collaboratives
    - Consumer Education and Engagement
    - Provider Education
    - Harmonizing State Privacy Law
    - Intrastate and Interstate Consent Policy Options
    - Interstate Disclosure and Patient Consent Requirements
    - Inter-Organizational Agreements
    - Adoption of Standard Policies

# HISPC - Outputs

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- **Over 100 “replicable” tools**
  - Developed by multi-state collaboratives
  - Designed by state-level stakeholders for state-level stakeholders
  - Education materials (handouts, FAQs, and videos)
  - Analyzes of legal requirements
  - Templates and reports (capture lessons learned and experiences)
- **Action and Implementation Manual (AIM) – “field guide” to all of the developed tools**
- **5 Research reports**
  - CLIA
  - e-prescribing
  - disclosure laws
  - access to medical records
  - patient matching

# State Alliance for E-Health

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- **Started in 2007**
- **Goal:**
  - To identify, assess, and, through the formation of consensus solutions, identify ways to resolve state-level health IT issues that affect multiple states
- **A high-level state health IT advisory board**
  - Comprised of Governors and other high-level state officials

# State Alliance for E-Health - Outputs

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- **Reports**

- Accelerating Progress Using Health Information Technology and Electronic Health Information Exchange to Improve Care
- Public Governance Models for a Sustainable Health Information Exchange Industry
- Preparing to Implement HITECH – A State Guide for Electronic Health Information Exchange

# Elements of Success

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- **States play an important role in privacy and security policy related to health information exchange**
- **Be a “good neighbor”... coordinate**
  - Electronic health information exchange policy in your state could impact your ability to exchange with others and vice versa
  - Beware of unintended consequences
  - It is important to understand the Federal activities to assure that your state efforts support the needs of health care professionals and hospitals trying to comply with Federal requirements.