

## HEALTHINFONET REFERENCES IN STATE OF MAINE STATUTES

*This document is intended to provide participating organizations with an understanding of HealthInfoNet's obligations and duties as operator of Maine's statewide Health Information Exchange according to State of Maine statutes.*

### 22 MRSA §1711-C. Confidentiality of health care information

**Source:** <https://legislature.maine.gov/statutes/22/title22sec1711-C.html>

#### **Notes:**

- Effective 2011
- See 22 MRSA §1711-C 18 (D) and (E)

#### **Impact(s) to HIE Participants:**

- Requires a health care provider participating in Maine's statewide Health Information Exchange (HIE) to, upon a patient's first visit following the provider's connection to the HIE, (a) provide notification that the provider participates in the HIE and (b) offer a state-approved HIE general medical opt-out consent form and an overview poster that presents more information about the HIE. Note: These required documents are provided in HealthInfoNet's Communication Package.
- Requires a health care provider participating in Maine's statewide HIE to send a patient's completed HIE general medical opt-out consent form to HealthInfoNet within two (2) business days following the patient's request for the provider to submit the consent form on their behalf.

### 5 MRSA §19203 Confidentiality of test and 34-B Section 1207 Confidentiality of information

#### **Sources:**

- <https://www.mainelegislature.org/legis/statutes/5/title5sec19203.html>
- <https://www.mainelegislature.org/legis/statutes/34-b/title34-Bsec1207.html>

#### **Notes:**

- Effective 2011
- See 5 MRSA §19203 (11) and 34-B Section 1207 (1) (I)

#### **Impact(s) to HIE Participants:**

- Allows a health care provider participating in Maine's statewide HIE to transmit information specific to mental health and HIV/AIDS treatment that provides a patient with stricter protection of the information than HIPAA. This includes information created by a licensed mental health facility or practitioner, results of HIV/AIDS lab tests, and HIV/AIDS diagnoses.
- Requires HealthInfoNet to provide patients with an "opt-in mechanism" that allows a patient to include their mental health and/or HIV/AIDS treatment information in their HealthInfoNet record, making the information available to their providers that use the HIE. Note: View the "Sensitive Health Information" consent forms in HealthInfoNet's Communication Package.