

## RECOMMENDATIONS FOR IMPLEMENTING PATIENT CONSENT

*This document is intended to provide participating organizations with key recommendations for successfully implementing the patient consent requirements of Maine's statewide Health Information Exchange within existing staff workflows.*

### Key Recommendations

- Develop separate patient consent workflows for (a) current patients and (b) new patients.
  - Current Patient Workflow: Assign a staff member(s) to complete the consent process with current patients. If your organization chooses more than one staff member to be responsible for this activity, be sure to track on paper or through your electronic health record (EHR) system which patients have been properly educated so that they don't need to listen to the process multiple times.
  - New Patient Workflow: Make patient consent a part of your organization's new patient intake processes so that you don't have to backtrack to complete an activity that fits nicely within standard registration workflows.
- Unlike other releases of health information with which your organization may be familiar, patients only need to complete HealthInfoNet's general medical opt-out consent form if they do not want to share their general medical information with HealthInfoNet.
  - If patients want to continue to share their general medical information with HealthInfoNet, they do not need to take any action.
- Patients who have previously opted-out of sharing their general medical information with HealthInfoNet can always choose to opt-back-in to sharing their information by completing HealthInfoNet's general medical opt-back-in consent form.
  - HealthInfoNet offers a "zero resistance" approach to consent; meaning, patients can choose to opt-out and opt-back-in to sharing their health information at any time.
- If a patient would like to opt-in to sharing their sensitive health information (i.e., mental health information) with HealthInfoNet, there is a separate sensitive health information opt-in form that they must complete.
  - Before a patient signs the sensitive health information opt-in consent form, confirm that they haven't previously opted-out of sharing their general medical information with HealthInfoNet, as that decision trumps any subsequent decision regarding sensitive health information sharing.
  - If a patient has previously opted-out of sharing their general medical information, but would like to share their sensitive health information, they must first opt-back-in to sharing their general medical information with HealthInfoNet then opt-in to sharing their sensitive health information.
- If a patient opts-out of sharing their general medical information, HealthInfoNet will send them a communication (either via mail or email) indicating that their request has been completed.

- Upon execution of a patient's opt-out form, the information that they chose to opt-out of sharing with HealthInfoNet will no longer be available in the statewide Health Information Exchange (HIE). At the time of the opt-out decision, the patient's data is completely removed from HealthInfoNet's systems. If they then decide to opt-back-in to sharing their information at a later date, HealthInfoNet will begin collecting and sharing their information again from that date (i.e., opt-back-in) going forward. In other words, their health history prior to their initial opt-out decision does not get added back in to their HealthInfoNet record upon their decision to begin sharing their information again.
- HealthInfoNet does not send communication confirmation to patients who choose to opt-back-in to sharing their general medical information or opt-in to sharing their sensitive health information, unless specifically requested by a patient.
- Do not alter HealthInfoNet's consent forms to align with your organization's documentation standards. If a consent form is submitted with verbiage or in a format that differs from its original state developed by HealthInfoNet (per the version in the latest Communication Package), there may result in delays in processing the consent form within the two (2) business day processing requirement.
- Before sending a consent form to HealthInfoNet, ensure that all required fields are completed. Incomplete forms are unable to be processed and may be sent back to the sender to complete.
- Remember to review and use materials provided in HealthInfoNet's Communication Package when conveying the objective and value of HealthInfoNet and Maine's statewide HIE, including key talking points that staff can use to answer common questions from patients.
  - As always, remember that you do not need to be an expert of HealthInfoNet's systems to support consent! HealthInfoNet's Clinical Education team is available to support your organization's staff when questions arise. Simply reach out via phone (1-866-592-4352 (toll free), 207-541-9250 (local)) or email ([clinicaleducation@hinfonet.org](mailto:clinicaleducation@hinfonet.org)) for assistance.

