

HEALTHINFONET REFERENCES IN MAINE STATE STATUTES

The purpose of this document is intended to provide participating organizations with an understanding of HealthInfoNet's obligations and duties as operator of the statewide Health Information Exchange in 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:

- The first time that a patient visits a Health Information Exchange (HIE) participating provider after connecting to the HIE, the patient must be notified that the provider participates in the HIE and offered a state-approved opt-out form and an overview poster that presents more information about the HIE (both documents are provided in HealthInfoNet's Communications Package).
- If the patient does decide to opt-out of the HIE at that time and asks the provider to send HealthInfoNet the form, the provider must send the form to HealthInfoNet within two (2) business days.

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 HIE participants to transmit information specific to mental health and HIV treatment that affords a patient with stricter protection 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 that HealthInfoNet provide patients with an "opt-in mechanism" to allow them to include this information in their HealthInfoNet record and make it visible to their providers using the HIE. This "opt-in mechanism" is described further in HealthInfoNet's Communications Package.