

- **Interoperability (Roadmap Definition)**
 - The ability of a system to exchange information with and use information from, other systems without special effort on the part of the customer
- **Interoperability 10-year Goal**
 - Majority of providers and individuals securely send, receive, find, and use essential health information
- **Differing Legal Requirements**
 - Though legal requirements differ across the states, nationwide interoperability requires a consistent way to represent an individual's permission to collect, share, and use their individually identifiable health information, including with whom and for what purpose(s).



Consistent Representation of Permission to Collect, Share, and Use Identifiable Health Information

- States philosophically aligned
- State privacy and consent laws are diverse in content
- Diversity in organizational policies within states
- See roadmap appendix A and B for ONC Consent Bibliography



Patchwork

Framing Consent/ Patient Choice Strategy

Variation in rules about permission to access, use, or disclose makes it difficult to build software systems that accurately capture, maintain, and persist this data. But we need software systems to capture and persist both written individual directions and what is permitted without a written individual direction.

Consent Management



Computable Privacy

Connecticut

(a) "PERSONS WITH PSYCHIATRIC DISABILITIES" means those PERSONS who are suffering from one or more mental disorders as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders"

1995 Ct. SB 1164 Section 16 (a)

New York

3. "Mental disability" means mental illness, mental retardation, developmental disability, alcoholism, substance dependence, or chemical dependence. A mentally disabled person is one who has a mental disability.

20. "Mental illness" means an affliction with a mental disease or mental condition which is manifested by a disorder or disturbance in behavior, feeling, thinking, or judgment to such an extent that the person afflicted requires care, treatment and rehabilitation.

NY CLS Men Hyg § 1.03 Definitions

Current U.S. Privacy Rules Environment



Health IT Policy Committee
A Public Advisory Body on Health Information Technology
to the National Coordinator for Health IT

Laws, regulations, and policies for patient consent

Laws, regulations, and policies for sensitive information

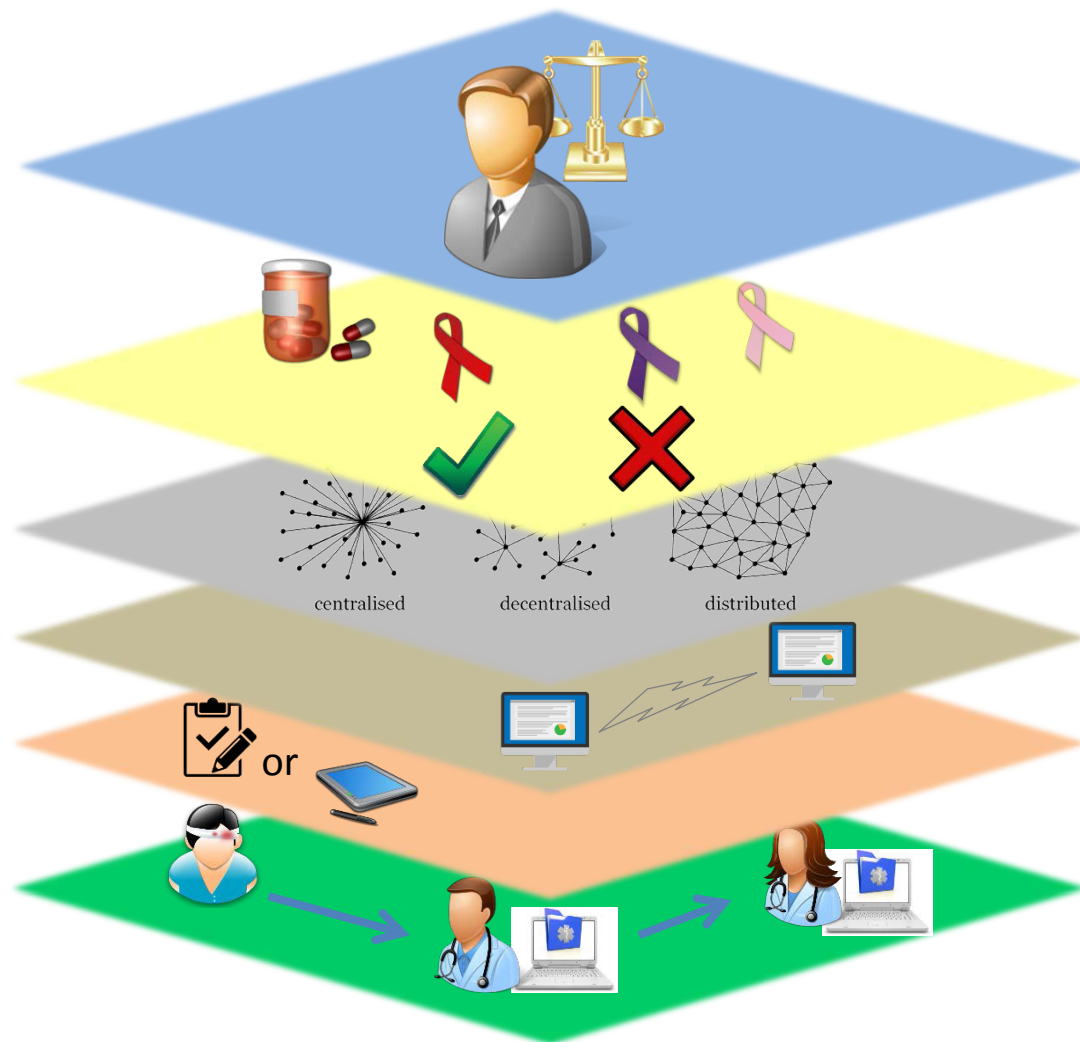
Consent models (opt-in, opt-out, with restrictions, etc.)

HIO/HIE Architecture

EHR system interoperability

Consent directive (paper/electronic)

Patient provides consent to share sensitive health information and HIPAA Permitted Uses and Disclosures



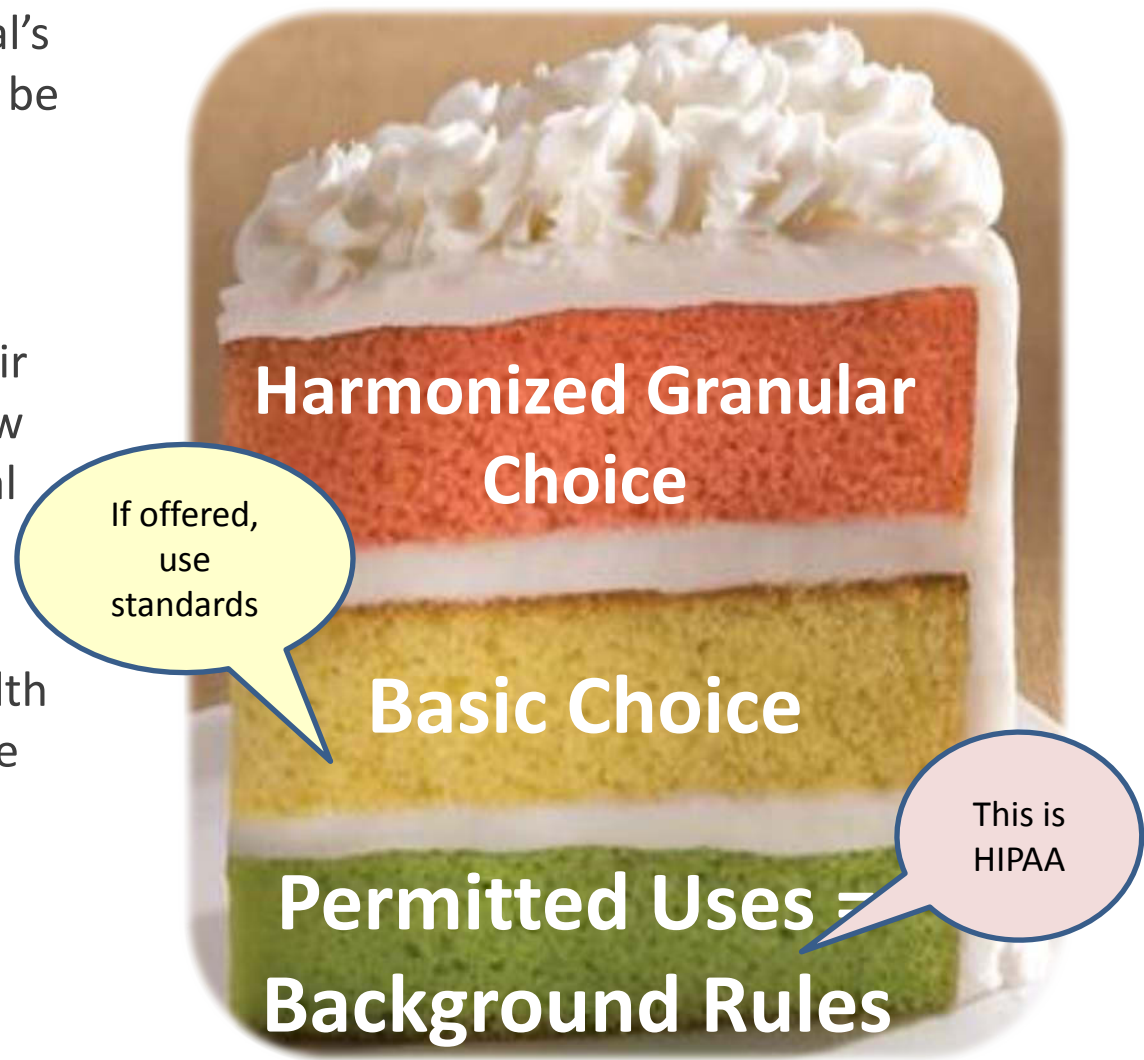


What is Computable Privacy?



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- To achieve health, an individual's electronic health data need to be digitally connected to their consent choices.
- Health care providers, and their health IT systems need to know what to do when the individual does not document a choice.
- Telemedicine, community health supports, and other innovative delivery processes will be stunted if we cannot make privacy computable.



If offered, use standards

This is HIPAA