

POSTER ABSTRACTS

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11:30 am–Noon & 1:30–2:00 pm
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PS1 – 17

Developing an Analytical Tool for Assessing the Adequacy of State Health Information Exchange Laws

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Aims: To develop and test an analytic legislative tool that provides states with the ability to analyze and propose reform to laws related to the exchange of electronic health information.

Background: Through extensive research, the multi-state Harmonizing Security and Privacy Law Collaborative (HSPLC) found myriad barriers to health information exchange in laws and business practices. In some cases, barriers are beneficial because they protect people's privacy. However, barriers can be problematic when they prevent the timely exchange of information needed for the treatment of patients. There are many inconsistencies in state and federal laws and among state statutes in their definitions, organizational structure, and content. Some states have adopted new legislation that addresses the exchange of health information that may further exacerbate differences among states and impede interstate exchange of electronic health information.

Methods: HSPLC developed a set of analytical tools and a narrative guide, the Roadmap, to assist states in implementing an effective legal framework for the review and adoption of legislation that supports health information exchange (HIE). The tools and Roadmap were created through extensive research to identify best practices for identifying, evaluating, and reforming state laws related to the disclosure of electronic health information.

Results: HSPLC found that various state resources (legal, legislative, healthcare policy, healthcare providers, and consumers) are necessary for successful completion of the Roadmap to identify opportunities for legislative reform. HSPLC believe that states will have greater likelihood of success in achieving legislative reform if they use the Roadmap and reach out to other states contemplating a change in legislation. Interstate collaboration and coordination are essential if we are to achieve a national legal and technical infrastructure that facilitates health information exchange.

Conclusions: Legislation in most states does not adequately address the exchange of electronic health information. Drafting of legislation must take into account a state's unique environment and culture, and the needs and support of stakeholders. The goal of using the analytic tool is to protect health information while removing barriers that impede the exchange of vital information. The HSPLC Roadmap provides a step by step process to analyze and reform state legislation.