

THINC, Inc.

Taconic Health Information Network and Community

*Privacy and Consumer Affairs Committee Meeting
May 28, 2009 11:00AM-12:00Noon*

A meeting of the Privacy and Consumer Committee of the THINC, Inc, a New York not-for-profit corporation (the "Corporation"), was held on May 28, 2009.

Committee Members Present:

Arthur Levin, Committee Chair, Norma Johnson, Paul Kaye, Roxanne Parella, Lucy Pitaro, Steve Sarg.

Non-Committee Members Present:

A. John Blair III MD, Rina Dopheshwarkar, MPH, Rainu Kaushal, MD, MPH, Lisa Kern, MD, MPH, Dianne Koval, Allison Laquidara, Helen Pfister, Susan Stuard, Asha Upadhyay

I. APPROVAL OF APRIL 2009 MEETING MINUTES

A motion was made, seconded to approve the April 2009 meeting minutes.

II. REVIEW OF PATIENT ENGAGEMENT and ACCESS POLICY

Susan Stuard thanked Norma Johnson, Art Levin, Lucy Pitaro and Helen Pfister for the suggestions made regarding the Patient Engagement and Access Policy. Susan Stuard then opened the floor to the committee members, asking for any additional comments and or edits regarding the Patient Engagement and Access Policy. Art Levin asked if "PHI" was being defined as "personal health information" or "protected health information". Helen Pfister, serving as legal counsel advised the committee "PHI" in fact stands for protected health information. Aside from small edits, the committee was satisfied with the policy. Susan Stuard informed the committee that she would re-circulate the policy in final draft form. Susan Stuard also informed the committee that the Security Breach, Authorization, and Patient Engagement and Access policies are all in final draft form as well and thanked the committee members for their time spent off-line reviewing and editing the policies. The committee will start to work through the consent policy in June.

III. REVIEW OF 2008 CONSUMER SURVEY BY CORNELL

Susan Stuard introduced Lisa M. Kern, MD, MPH, Deputy Director and Rainu Kaushal, MD, MPH Director of HITEC based out of Weill Cornell Medical College. Lisa M. Kern and Rainu Kaushal have been conducting evaluations across New York State on Health Information Exchange projects. In 2008 they conducted a consumer survey based in the Hudson Valley, "Health Care Consumers' Attitudes toward Health Information Technology: The View from the Hudson Valley". The goals of the study were to determine the attitudes of consumers in the Hudson Valley toward health information exchange, maintaining privacy and security of electronic clinical data, physician use of health information exchange, and personal use of health information exchange. The methodology used was a cross-sectional, random-digit dial telephone survey from January 2008 to April 2008 in the Hudson Valley region of New York State. The survey was administered by the Cornell Survey Research Institute with a \$10 incentive per respondent. The final survey tool consisted of 42 questions.

Lisa M. Kern gave a presentation to the committee about the survey itself as well as the findings. Concluding the presentation Lisa M. Kern opened the floor to the committee for comments and

questions. Susan Stuard asked if the term “Electronic Health Record” had the exchange as component in the definition. Rina Dopheswarkar stated that the definition read as, “something like a paper medical record that contains personal medical information including physician notes, hospitals stays, laboratory and radiology tests, medications prescribed, insurance information and other identifying information. Unlike paper records, this information is stored, created and viewed on computers”. The definition did not mention the health information exchange, but did state that the information can be shared electronically between providers. The committee also discussed how some change in the use of language could possibly yield different results in some of the responses. The Cornell survey team concurred stating that a great deal was learned through this survey in the Hudson Valley. Since conducting this study in 2008, adjustments have been made and have since deployed this survey in Rochester, Buffalo and the Bronx. Susan Stuard also made mention to the question in the survey that addressed the issue of “features for safeguarding Electronic Medical Records.” Susan Stuard noted to the committee that the Hudson Valley Health Information Exchange would be able to meet four out of the five choices that were presented to the respondents of the survey. 1) safeguards against unauthorized viewing, 2) ability to see who has viewed your record, 3) stop information from being stored electronically, 4) stop all viewing of a record. However, the exchange would not have the capability to allow choice for which parts of the record could be shared electronically.

Dr. John Blair commented that the patient’s record is the legal responsibility of the physician, the information on the record is about the patient. He said that it should define three different categories – Physician record, Personal Health Record, and Community Record which is created by the RHIO. Health information exchange has different definitions based on who you ask. Arthur Levin asked Cornell if they have asked respondents if they use the internet for other purposes such as online purchases using the credit card number and possibly social security number. He suggested to ask a question such as “Do you use online banking for the following situations: 1) information saved on personal computer, 2) sent over the internet, 3) sent over secured internet”. He asked Cornell if there is another opportunity to ask the consumers questions to differentiate how they feel about personal health information (PHI) that is different from online banking, ATM, etc.

Susan Stuard and Arthur Levin thanked Lisa M. Kern and Rina Kaushal for taking the time to present the survey findings with the committee. Susan Stuard stated that this information is useful to THINC in terms of understanding where consumer’s attitudes are towards health information exchange as well as educating consumers.

There being no further topics for discussion, the meeting was adjourned at 12:05pm.