

Updating Appendix A to the Health Information Exchange Plan

May 17, 2023

HIE Plan Proposed Amendment

- We are proposing a change to the State's 2022 [HIE Plan](#) Appendix A: Protocols for Access to Protected Health Information on VHIE (p. 45).
- AHS's HIE Steering Committee approved this change at its April 3, 2023 meeting.
- Per [18 V.S.A. § 9351](#) subsection (c), the GMCB needs to vote on approval of this change.
 - *The Department of Vermont Health Access, in consultation with the Steering Committee and subject to Green Mountain Care Board approval, may propose updates to the Plan in addition to the annual updates as needed to reflect emerging technologies, the State's changing needs, and such other areas as the Department deems appropriate.*

Appendix A: Protocols for Access to Protected Health Information on VHIE

- HIE Plan was approved in December, Appendix A enables participation in national exchange
 - Currently this includes UVMHN, VA, & DoD for treatment purposes
- With changes to how some states are treating reproductive care and gender affirming care, we want to thoughtfully approach sharing data with new partners,
- Requested modification would allow the HIE Steering Committee to thoughtfully consider and plan for appropriate national exchange, and protect from claims of information blocking

Proposed Amendment

Section 7—National Exchange

- A. **General.** Each Individual's electronic Protected Health Information that is contained in the Vermont Health Information Exchange shall be available for query-based exchange with national exchanges pursuant to Restatement II of the Data Use and Reciprocal Support Agreement ("DURSA"), April 13, 2019, and as amended in the future, unless a Participating Health Care Organization elects to not make their data available or the Individual has affirmatively elected not to have the Individual's electronic Protected Health Information shared in that manner.

Participants in these exchanges shall access Protected Health information for permitted purposes pursuant to and as defined by DURSA to facilitate and protect eHealth Exchange.

Additionally, an individual's PHI contained on the VHIE shall also be provided for permissible purposes to other organizations as required by federal law.

- B. **VITL's Responsibilities.** VITL, in coordination with and subject to the approval of the HIE Steering Committee, shall participate in the DURSA and any successor agreements thereto and shall comply with the requirements of participation. VITL may also participate in the exchange of Protected Health Information with other state or regional health information exchanges under direct agreements so long as they are consistent with the DURSA's exchange framework and protections for the privacy, confidentiality and security of the health data.

HIE Steering Committee Members

Name, Organization	Role	Voting
Kristin McClure, AHS Office of Health Care Reform	Chair	Voting
Josiah Mueller, OneCare VT	ACO Representative	Voting
Simone Rueschemeyer, Vermont Care Partners	Mental Health & Substance Use Representative	Voting
Mary Kate Mohlman, Bi-State Primary Care Association	Primary Care Representative	Voting
Eric Schultheis, Vermont Legal Aid	Health Care Advocate	Voting
Jessie Hammond, Vermont Department of Health	Public Health Representative	Voting
Beth Anderson, VITL	HIE Representative	Non-Voting
Jimmy Mauro, Blue Cross Blue Shield	Payer Representative	Voting
Victor Morrison	Consumer Representative	Voting
Emma Harrigan, VT Hospital Association	Hospital Care Representative	Voting
Sandy Rouse, Central VT Home Health & Hospice	Home Health Representative	Voting
Helen Labun, Vermont Health Care Association	Long Term Care Representative	Voting
Kana Zink, Vermont Department of Health	Health Equity Expert	Voting
Gabe Epstein, AHS Legal	Privacy Attorney	Non-Voting
<i>Vacant</i> , Blueprint for Health Program	Practice Innovation Lead – Blueprint for Health	Non-Voting
Kathryn O’Neill, GMCB	Green Mountain Care Board	Non-Voting
Emily Wivell, Agency of Digital Services	Technologist/Security	Non-Voting