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eHealth News from the NITC eHealth Council

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Nebraska's eHealth Vision

Stakeholders in Nebraska will cooperatively improve the quality and efficiency of patient-centered health care and population health through a statewide, seamless, integrated consumer-centered system of connected health information exchanges. Nebraska will build upon the investments made in the state's health information exchanges and other initiatives which promote the adoption of health IT.

—Nebraska Strategic eHealth Plan

eHealth Council develops eHealth plan

The eHealth Council has developed a strategic eHealth plan which lays out the state's vision, goals, strategies, and objectives for developing statewide health information exchange. The plan focuses on the domains of adoption, governance, finance, technical infrastructure, business and technical operations. Key considerations and recommendations are also included. This plan has been designed with explicit recognition that it will be updated frequently in order to be responsive to the dynamic healthcare and HIT environment, consumer health care interests, and emerging improvements in health information management.

The plan builds on the progress made by the private sector in developing health information exchange. The State of Nebraska will partner with the Nebraska Health Information Initiative (NeHII) in implementing statewide health information exchange. NeHII is a fully operational and sustainable health information exchange. As the State Designated Entity for Nebraska, NeHII will serve two functions: (a) as an integrator for health providers, health organizations and health information exchanges requesting facilitation to connect to the NHIN and/or with each other, and (b) as a health information exchange offering services in its own right. NeHII will provide the technical infrastructure for the sharing of health information throughout the state. NeHII will also work with the state's other regional and specialty health information exchanges in various stages of implementation to leverage their success in ensuring a complete and sustainable business model. Nebraska's regional and specialty health information exchanges are the Southeast Nebraska Health Information Exchange (SENHIE), Southeast Nebraska Behavioral Health Information Exchange (SNBHIN), and Western Nebraska Health Information Exchange (WNHIE).

The strategic plan is available at <http://www.nitc.ne.gov/eHc/plan/Strategic%20Plan%20Final%2026%20Oct.pdf>.

Nebraska applies for funding from State HIE Cooperative Agreement Program

The State of Nebraska has applied for approximately \$6 million in funding from the State HIE Cooperative Agreement Program. Funds will be used to implement statewide health information exchange. The Nebraska Information Technology Commission will serve as the fiscal agent for the program and will provide oversight for the program. As the state designated entity, NeHII will oversee project implementation. Funding announcements are expected to be made in December.

An operational plan will be developed in the coming months. The operational plan will guide the implementation of statewide health information exchange through the State HIE Cooperative Agreement program.

Nebraska's eHealth Goals

These goals will be achieved while ensuring the privacy and security of health information, which is an essential requirement in successfully implementing health information technology and exchanging health information:

- *Using information technology to continuously improve health care quality and efficiency through the authorized and secure electronic exchange and use of health information.*
- *Improve patient care and consumer safety;*
- *Encourage greater consumer involvement in personal health care decisions;*
- *Enhance public health and disease surveillance efforts;*
- *Improve consumer access to health care;*
- *Improve consumer outcomes using evidence-based practices.*

—Nebraska Strategic eHealth Plan

Lt. Governor Sheehy named State HIT Coordinator

Lt. Governor Rick Sheehy has been designated as Nebraska's State HIT Coordinator. He will coordinate health information exchange efforts within the State of Nebraska and will work with the eHealth Council to facilitate health information exchange efforts across the state. He will be supported by the NITC's Community and Health IT Manager.

Responsibilities of the State HIT Coordinator include:

- Coordinating state government participation in health information exchange.
- Coordinating activities with the state designated entity, the NITC eHealth Council, the state's health information exchanges, the Regional Health Information Extension Center, and other stakeholders.
- Assisting the NITC eHealth Council in the development of the state's eHealth Plan and the state's application for the State Health Information Exchange Cooperative Agreement Program.
- Assisting the NITC eHealth Council in the development of recommendations for a framework for governance and oversight of health information technology in the state and on other policy issues related to health information technology.
- Providing oversight over the implementation of the State Health Information Exchange Cooperative Agreement Program with the assistance of the NITC eHealth Council.

CIMRO of Nebraska applies for Regional Health IT Extension Center funding

The Office of the National Coordinator is funding the development of regional extension centers to provide assistance in adopting electronic medical record systems. A collaborative of Nebraska organizations has submitted a Cycle 1 application to establish a Health Information Technology Extension Center that will serve providers throughout the state. CIMRO of Nebraska, the CMS Quality Improvement Organization, is serving as a lead applicant for the proposed program. The Nebraska Regional Center will furnish education, outreach, and technical assistance to help Ne-

Nebraska providers select, successfully implement, and meaningfully use certified EHR technology to improve the quality and value of health care. The Nebraska Regional Center will also help Nebraska providers achieve, through appropriate available infrastructures, exchange of health information in compliance with applicable statutory and regulatory requirements and patient preferences. Pursuant to requirements of the HITECH Act, priority shall be given to providers that are primary-care providers (physicians and/or other health care professionals with prescriptive privileges, such as physician assistants and nurse practitioners) in any of the following settings:

- Individual and small group practices (ten or fewer professionals with prescriptive privileges) primarily focused on primary care;
- Public and Critical Access Hospitals;
- Community Health Centers and Rural Health Clinics; and
- Other settings that predominantly serve uninsured, underinsured, and medically underserved populations

Each of the four Nebraska Health Information Exchanges and numerous other healthcare organizations have provided letters of support for the Nebraska Regional Center application. The Regional Center will collaborate with the State Designated entity, the other HIEs, the Telehealth Network, and other related initiatives to ensure that providers receive the most comprehensive information to meaningfully adopt EHR technology.

Grants under the Extension Program will be awarded on a rolling basis with an expected 20 grants awarded in the first quarter of FY2010, another 25 in the third quarter and the remaining awards in the fourth quarter of FY2010. The initial funding includes approximately \$598 million to ensure that comprehensive support is available to providers under the Extension Program beginning early in FY2010, with an additional \$45 million available for years 3 and 4 of the program. Federal support continues for four years, after which the program is expected to be self-sustaining. Of the total federal investment in this program, about \$50 million is dedicated to establishing the national HITRC, and \$643 million is devoted to the Regional Centers.

NeHII grows, pursues stimulus funding

The NeHII exchange continues to grow as more physicians learn about the benefits of NeHII. Physicians, hospitals and healthcare entities have been approaching NeHII with inquiries and requests to participate in the exchange. To enable participation from entities across the state, NeHII continues to define models of access to enable organizations to benefit from the increased efficiencies and quality of care afforded by statewide health information exchange.

NeHII is working with the eHealth Council and the other HIEs in Nebraska to actively pursue the HIE federal stimulus funding. An application for the State HIE Cooperative Agreement Program was submitted in mid October. The strategic plan has been developed and the operational plan is being created.

The Axolotl Customers' Conference was September 9-11. Deb Bass presented a session on *Patient Consent & Consumer Education in Nebraska*. NeHII has taken an active leadership role in the Axolotl User Group which is comprised of fifteen of the various HIEs and RHIOs around the country on the Axolotl platform. NeHII will be leading or participating in a number of the group's subcommittees, which will give NeHII greater access to Axolotl and offer many opportunities for peer collaboration. On September 30th, NeHII hosted teams from South Dakota and Arizona for a site visit to Omaha to meet with our team and strategize on partnership possibilities.

If you are contacted by interested parties, Deb Bass and Chris Henkenius are available to present information about NeHII as needed. Deb or Chris may be contacted at 402.346.1505.

ARRA HIE Timeline

- Jan. 1, 2009**—Medicare e-Prescribing Incentives began on January 1, 2009
- Feb. 17, 2009**—American Recovery and Reinvestment Act signed into law.
- Aug. 14, 2009**—Draft meaningful use definition released
- Sept. 8, 2009**—Regional Health Information Technology Extension Center preliminary applications due
- Sept. 11, 2009**—State HIE Cooperative Agreement Program letters of intent due
- Sept. 2009**—States find out funding amount for State HIE grants
- Sept. 29, 2009**—Preliminary decision on Regional Health Information Technology Extension Center
- Oct. 16, 2009**—State HIE Cooperative Agreement applications due
- Nov. 3, 2009**—Regional Health Information Technology Extension Center full applications due
- Dec. 11, 2009**—Regional Health Information Technology Extension Center awards announced
- Dec. 15, 2009**—State HIE Awards announced
- Dec. 31, 2009**—HHS adopts standards; proposed meaningful use rule published with 60 day comment period.
- Jan. 15, 2010**—State HIE Cooperative Agreement start date
- February 18, 2010**—OCR in collaboration with CMS must issue regulations to modify the HIPAA Enforcement Rule to implement revised penalty structure
- February 18, 2010**—CMS must issue regulations to extend certain HIPAA Security Rule provisions to business associates
- February 18, 2010**—CMS in collaboration with ONC must issue guidance on technical safeguards to carry out security
- February 18, 2010**—OCR must report to Congress on breaches for which notice was provided to the Secretary
- February 18, 2010**—OCR must issue regulations to extend certain HIPAA Privacy Rule provisions to business associates
- February 18, 2010**—OCR must issue regulations to modify the HIPAA Privacy Rule's provisions regarding right to request restrictions, minimum necessary, access
- February 18, 2010**—OCR must issue regulations to modify the HIPAA Privacy Rule's provisions regarding marketing and fundraising
- February 18, 2010**—OCR must issue regulations to clarify that certain entities are HIPAA business associates
- February 18, 2010**—OCR and CMS must report to Congress on HIPAA

Privacy and Security Compliance

- February 18, 2010**—ONC in collaboration with OCR, CMS, and FTC must study and report to Congress on privacy and security requirements for entities that are not HIPAA covered entities or business associates
- February 18, 2010**—OCR in collaboration with ONC must issue guidance on the HIPAA Privacy Rule's requirements
- February 18, 2010**—OCR in collaboration with SAMHSA must study the HIPAA Privacy Rule's definition of "psychotherapy notes" with regard to including certain test data and mental health evaluations
- Apr. 15, 2010**—State HIE plans due
- June 18, 2010**—OCR must issue regulations to modify the HIPAA Privacy Rule's accounting of disclosures provisions
- August 18, 2010**—OCR must issue guidance on what constitutes "minimum necessary" for purposes of the HIPAA Privacy Rule
- August 18, 2010**—OCR in collaboration with CMS must issue regulations to modify the HIPAA Enforcement Rule to implement willful neglect provisions
- August 18, 2010**—OCR must issue regulations to modify the HIPAA Privacy Rule to generally prohibit exchanging health information for remuneration without individual authorization
- 2011**—Meaningful use in place
- 2011**—EHR incentives begin
- February 18, 2012**—OCR in collaboration with CMS must issue regulations to modify the HIPAA Enforcement Rule to implement willful neglect provisions for sharing civil money penalties or settlements with harmed individuals
- 2015**—Goal: All providers are participating in health information exchange and meeting meaningful use requirements.

To receive *eHealth News from the NITC eHealth Council*, please contact Anne Byers, by calling 402 471-3805 or e-mailing anne.byers@nebraska.gov.

Nebraska Information
Technology Commission
Office of the CIO
501 South 14th Street
P.O. Box 95045
Lincoln, NE 68509-5045

