

Notice to Patients and Frequently Asked Questions about the MetroChicago Health Information Exchange

This Notice to Patients and Frequently Asked Questions provides information about how your health information may be accessed through the MetroChicago Health Information Exchange (MetroChicago HIE) and your right to “opt-out” so your information will not be available. You may have read about the MetroChicago HIE in your provider’s or health plan’s Notice of Privacy Practices required under the federal law known as HIPAA (the Health Insurance Portability and Accountability Act of 1996).

What is the MetroChicago HIE? The MetroChicago HIE is a secure, electronic way for your doctors, hospitals, health plans, accountable care organizations and other authorized users to access your medical records from participants in MetroChicago HIE. They may use the information to treat you and for related payment and healthcare operations.

How does the MetroChicago HIE benefit me? Secure health information generated by your participating health care providers and health plans generally will be available through the MetroChicago HIE to other participating health care providers, health plans, accountable care organizations and other authorized users. This information may include your diagnoses, test results, medications, allergies and laboratory test results.

By participating in the MetroChicago HIE, your health care providers, health plans and other participants can have quick access to your medical records from other participating health care providers, health plans and other participants. This should make it easier for participants to view your health history and lab tests, even if they were done at different hospitals or clinics. With the MetroChicago HIE, your doctor can spend less time searching for your information, which could be critical in an emergency. Having your information available may also help control health care costs by reducing unnecessary tests and treatments.

Can I make my information unavailable through the MetroChicago HIE by “opting-out”? Yes. You may opt-out in order to decline the further disclosure of your health information by MetroChicago HIE to third parties (except to the extent permitted by law such as for purposes of public health reporting). Please refer to the MetroChicago HIE website at www.mchc.com/hie-optout for further information about its purposes and audio, visual and written instructions on how to opt-out.

Your choice to opt-out of the MetroChicago HIE will not affect your ability to receive medical care. However, if you opt-out, MetroChicago HIE will block access to all of your health information through its system, **even for emergency treatment**. Despite opting-out, your information may still be disclosed through MetroChicago HIE to meet legal requirements such as public health reporting.

Will mental health and developmental disability records, HIV/AIDS information or genetic information be available through MetroChicago HIE? Yes. Unless you opt-out, your mental health and developmental disability information (such as diagnosis and medications), HIV/AIDS information or genetic information (such as test results) may be available to participants and authorized users through the MetroChicago HIE. This is permitted under recent changes to Illinois law. Prior to these changes, your consent was required with limitations that made it difficult to exchange this type of information using an HIE. Despite these changes, your written authorization is still required for any release of psychotherapy notes.

If you do not wish to have mental health or developmental disability information, HIV/AIDS information or genetic information available through MetroChicago HIE, you should complete an opt-out form and give it to your provider.

Will other sensitive information be shared? Some types of sensitive medical information may require your consent to be shared under Illinois law so it may not be available through the MetroChicago HIE unless you consent. For example, if you received services from a rape crisis organization, those records would not be shared without your consent.

Will alcohol or substance abuse treatment health records be handled differently? Your records should not be available through the MetroChicago HIE if they were generated by a federally supported alcohol or substance abuse treatment facility that is covered by a federal regulation known as 42 CFR Part 2. You may ask your provider if it is subject to this regulation. Information about alcohol or substance abuse from other sources may be shared through the MetroChicago HIE if you do not opt-out.

Can I prevent specific health information from being accessed through MetroChicago HIE? No, at this time MetroChicago HIE cannot prevent specific information in your record from being shared. Except for certain health information that your provider must make unavailable to your health plan if you request it and pay out-of-pocket (not submitting the claim to your insurance), your information will be available to participants in MetroChicago and authorized users unless you opt-out.

How can I opt-out of MetroChicago HIE? You can opt-out by completing an Opt-Out Form and giving it to the office of any participant in the MetroChicago HIE. If your health plan or accountable care organization is a participant, you may also mail a notarized Opt-Out Form to either of them. Each participant will have the Opt-Out Form.

What will happen if I opt-out? Can I reverse my opt-out? Access to information about you will be blocked approximately 24 hours after MetroChicago HIE receives the opt-out notice and will apply to information about you from all participating health care providers, health plans, accountable care organizations and authorized users. If you later reverse your opt-out, information from the period during which you had opted-out or prior to your opt out may be available through the MetroChicago HIE. You can reverse your opt-out by completing the Reverse Opt-Out Form available from any participant and giving it to the participant. If your health plan or accountable care organization is a participant, you may also mail a notarized Reverse Opt-Out Form to either of them.

PLEASE NOTE: It is always good to make sure your health care provider knows about all of your current conditions and medications whether or not you opt-out. You should not expect that your provider will have all of your current information through the MetroChicago HIE.

Opting-out of MetroChicago HIE does **not** mean that you have opted-out from all other HIEs. Ask your provider, health plan and accountable care organization if it participates in other HIEs and if you need to complete additional opt-out forms.

Is the MetroChicago HIE secure? Who can see my information? MetroChicago HIE is protected by privacy and security measures to help assure that your health information is private. Your information is only available through MetroChicago HIE to participants and authorized users who are subject to state and federal privacy laws including HIPAA. MetroChicago HIE uses encryption and can track user access to help protect against unauthorized uses and disclosures. However, with any electronic system, there could be a breach of security and an unauthorized person might obtain and use your information for identity theft or other illegal activities. This could also occur with paper health records, but a breach of electronic systems may affect more records than might occur with paper records.

How was health information shared before electronic exchange? In some cases, information was not shared. If it was, doctors or health plans would have to call, mail or fax it to another provider or health plan, or you, the patient, would have to track your records down and deliver them. This could take a long time and delay your care. The MetroChicago HIE should be a much faster way to exchange information.

What if I have more questions? For more information about MetroChicago HIE or your privacy rights, please refer to the HIPAA Notice of Privacy Practices for your health plan and/or your health care provider, or speak to the HIPAA Privacy Officer for your health plan and/or health care provider.