

## Overview

The West Virginia Health Information Network (WVHIN), the State's designated Health Information Exchange (HIE), is offering users a consent management solution to enable the electronic exchange of substance use disorder (SUD) data protected by 42 CFR Part 2. The consent tool supports the WVHIN's goal of sharing healthcare information across a patient's care team, including physical and behavioral health providers, to enhance and improve patient care coordination. We are currently seeking pilot sites to test and advise on our consent tool in terms of both provider experience and patient feedback.

### What will a registered consent mean for my patients?

The provider led consent workflow will capture Part 2 consent, enabling data sharing with all the patient's treating providers as allowed by HIPAA and 42 CFR Part 2. Once a patient has registered a consent with the WVHIN, any Part 2 covered data within the scope of the patient's consent that has been submitted to the WVHIN will be shared with the patient's care team. The care team includes any provider who has identified a treatment relationship with the patient by submitting the patient's name on a panel to the WVHIN.

### What information can be shared after my patient registers a consent?

The WVHIN will **only** share SUD information once a patient has registered consent via the WVHIN tool. All SUD data displayed in WVHIN will be accompanied by a notice that SUD information **cannot be redisclosed** in accordance with Part 2 requirements.

At this time, the WVHIN does not receive any SUD data from providers but anticipates that use of the consent tool will create opportunities for SUD providers to share data through the WVHIN. There are several factors that could impact the delivery of SUD data to the WVHIN: (1) the ability of the electronic medical record (EMR) system to share data; (2) each provider's level of comfort with and/or prioritization of sharing certain types of data; and (3) the WVHIN's ability to ingest and display data. The WVHIN will work with each provider on opportunities for data sharing. Data could include: care team information; medications; encounters; treatment plans; and labs.

### How can my organization access and use the consent tool?

Providers can access the consent tool through the WVHIN Portal. Providers will have the option to register a new consent or search for an existing consent on file. Patients will indicate their consent preferences and will electronically sign the consent form. Providers must attest to providing patient education and verifying patient identity before registering consent.

### Can my organization use the WVHIN Part 2 consent for any other data sharing?

No, the WVHIN Part 2 consent only documents the patient's consent to share data with their care team through the WVHIN.

### Can my organization retain a copy of the WVHIN consent in our records to support data sharing with the WVHIN?

The WVHIN will be responsible for maintaining the consent on record except in mutually agreed upon instances where the participating entity will maintain a hard copy of the consent. For consents

# Consent Tool Overview and Provider FAQ



maintained by the WVHIN, providers can print a copy of the WVHIN Part 2 consent if they would like to maintain a version in their own system.

## What are the requirements to participation in the consent pilot?

Providers with a signed Participation Agreement can participate in the WVHIN consent pilot. The pilot requirements are flexible and can be adapted to each participating provider. Generally, participation includes:

- Credentialing one or more users from the organization for the consent tool
- Participating in consent tool training by credentialed users
- Conducting patient education on the WVHIN consent tool
- Registering patient consents
- Providing the WVHIN feedback on the consent tool and patient feedback on registering consent

Participation in the consent tool pilot does not commit the provider to sharing SUD-related data with the WVHIN. However, the WVHIN would like to engage the provider in discussions related to data sharing whenever possible.