

REFERENCE ID NUMBER: 005	POLICY TYPE: IT INFORMATION MANAGEMENT
OWNER: CHAD PETERSON	DOCUMENT NAME: DEFINITIONS
EFFECTIVE DATE: 2/26/16	
REVISION DATE: 7/28/16	

DEFINITIONS

For the purposes of the Koble-MN HIO policies, the following terms shall have the meaning ascribed to them below. All defined terms are capitalized throughout the policies.

Terms used, but not otherwise defined in Koble-MN HIO policies, shall have the same meaning as those terms in 45 C.F.R. §§ 160.103, 164.304 and 164.501.

APPLICABLE LAW

Applicable Laws include the Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Acts and Regulations, Health Information Technology for Economic and Clinical Health Act (HITECH), Federal and State Laws and Regulations, and Administrative Rules applicable to Individually Identifiable Health Information.

ADMINISTRATIVE AUTHORIZED USER

Administrative Authorized User means individuals who have been authorized by the Koble-MN HIO to perform services necessary for operating and maintaining the Koble-MN HIO.

AUTHORIZED USER

Authorized Users are individuals who have been authorized by a Participant to participate in the Koble-MN HIE and may include, but are not limited to, health care practitioners, employees, contractors, agents, or business associates of a participant.

BREACH

Breach means the acquisition, access, use, or disclosure of PHI in a manner not permitted under the HIPAA Rules which compromises the security or privacy of the PHI.

BREAK THE GLASS

Break the Glass means the ability of an authorized user to access a patient's PHI after receiving or confirming the possession of written consent or in the case of a medical emergency as outlined in MN Stat. §144.293 Subd 8(a).

BUSINESS ASSOCIATE

Business Associate has the meaning set forth in 45 C.F.R. 160.103 and generally means an individual or organization that creates, receives, maintains, or transmits PHI on behalf of a covered entity.

HIPAA

HIPAA means the Health Insurance Portability and Accountability Act of 1996. Specifically including the Standards for Privacy of Individually Identifiable Health Information and the Security Standards for the Protection of Electronic PHI (45 C.F.R. Parts 160 and 164) as amended by the Health Information Technology for Economic and Clinical Health Act (HITECH), enacted as Title XIII, Subtitle D of the American Recovery and Reinvestment Act of 2009 and as any further amendments, modification, or renumbering which occurs or takes effect during the term of the policies.

HEALTH INFORMATION TECHNOLOGY FOR ECONOMIC AND CLINICAL HEALTH ACT

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HITECH means the Health Information Technology for Economic and Clinical Health Act, Title XIII of the American Recovery and Reinvestment Act, Pub. L. No. 111-5.

INDIVIDUAL

An Individual means a person who is the subject of PHI and has the same meaning as the term “Individual” in 45 C.F.R. § 164.501 and shall include a person who qualifies as a personal representative in accordance with 45 C.F.R. § 164.502(g).

INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION

Individually Identifiable Health Information means a subset of health information, including demographic information collected from an Individual, that is created or received by a health care provider or plan, employer, or healthcare clearinghouse, and relates to the past, present or future physical or mental health or condition or condition or payment for healthcare and that identifies or can be used to identify the Individual.

MEDICAL EMERGENCY

A Medical Emergency means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

1. placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy, serious impairment to bodily functions, or;
2. Serious dysfunction of any bodily organ or part.

This definition of a Medical Emergency Condition is found in the federal Emergency Medical Treatment and Active Labor Act (EMTALA) at 42 C.F.R. 489.24(b).

KOBLE-MN HEALTH INFORMATION ORGANIZATION

The Koble-MN HIO an organization that oversees, governs, and facilitates health information exchange among health care providers that are not related health care entities as defined in Minnesota Statutes section 144.291, subdivision 2, paragraph (j), to improve coordination of patient care and the efficiency of health care delivery.

PARTICIPANT

A Participant means an organization, health care practitioner or institution, health plan, or health care clearinghouse who has executed a written Participation Agreement and Business Associate Agreement with KOBLE-MN HIO.

PARTICIPATION AGREEMENT

Participation Agreement means the Agreement between Koble-MN HIO and a Participant which authorizes the Participant to have access to Koble-MN HIO.

PATIENT DATA

Patient Data means information that is requested, disclosed, stored, made available, or sent by a Participant through Koble-MN HIO. This includes, but is not limited to, PHI, Individually Identifiable Health Information, de-identified data (health information that does not identify an individual as defined in C.F.R. § 164.514(a)) and Limited Data Sets (PHI that excludes certain identifier information as defined in 45 C.F.R. § 164.514(e)).

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PROTECTED HEALTH INFORMATION AND ELECTRONIC PROTECTED HEALTH INFORMATION

Protected Health Information (PHI and ePHI) means Individually Identifiable Health Information (e.g., any oral or recorded information relating to the past, present, or future physical or mental health of an Individual; the provision of health care to the Individual; or the payment for health care) that is maintained by any medium and transmitted by electronic media or in any other form or medium.

SECURITY RULE

The Security Rule means the Security Standards for the Protection of Electronic PHI at 45 C.F.R. Part 160 and Part 164, Subparts A and C as may be amended from time to time.

UNSECURED PROTECTED HEALTH INFORMATION (PHI)

Unsecured PHI means PHI in any form, including electronic, paper or verbal, that is not rendered unusable, unreadable, or indecipherable to unauthorized individuals through the use of a technology or methodology specified by the Secretary in guidance or as otherwise defined in 45 C.F.R. § 164.402.

VENDOR

Vendor means Orion Health, selected by KOBLE-MN HIO, to build and provide an electronic health information exchange system for Minnesota.

RELIANCE

If an Individual's health information is available through the Koble-MN HIO a Participant may assume the Individual has not opted-out of participation.

MINORS

In Minnesota, a minor is a person under the age of 18 years. A parent or legal guardian of a minor may authorize release of the minor's health care information.

A minor, who may under Minnesota law consent for certain treatment without parental consent, may restrict access to information relating to treatments that a minor may obtain without parental consent. In Minnesota a minor may consent to treatment for pregnancy and associated conditions, venereal disease, and/or alcohol and drug abuse.

When a minor reaches the age of majority or is emancipated, access or exercise of control of the minor's health information by a parent or legal guardian will cease. When a minor reaches the age of 18 the minor has the right to participate or opt out of participation in the Koble-MN HIO.

If a parent or legal guardian opted out of participation in the Koble-MN HIO on behalf of the minor that election will remain in effect following the minor's reaching the age of majority until the Individual makes a change to a prior election.

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REVISION HISTORY

DATE	DESCRIPTION OF REVISION	AUTHOR	APPROVAL DATE	APPROVED BY NAME & TITLE
7/28/16	Full review of Policy-See Advisory Committee Notes dated 7/28/16	Laurie Peters	7/28/16	Koble-MN Advisory Committee