January 16, 2020

2020-2025 Federal Health IT Strategic Plan-Draft

The Department of Health and Human Services

& The National Coordinator for Health Information

Technology (ONC).

Re: Public Comment

Supporting the provisions within the 21st Century Cures Act signed into law on December 3, 2016; which was basically to design medical products and inspire innovation and development to advance patient care and their ability to participate in clinical trials. This was also meant to monitor and access outcomes to encourage new drug biologics and improve regulatory processes. This law was initially promoted to assist with human research in developing new drugs, treatment and regimens that could be utilized in the fight against grave diseases, such as cancer. It was also meant to assist with streamlining the FDA approval process to gain quicker approves promoting and using electronic health records. All of these issues listed here are very important to sustaining life and developing innovation to try to treat such diseases, but with this innovation also comes the necessity to collectively collaborate with outside entities to obtain medical records, treatment histories as well as the cost of coordinating all these measures.

Now, in the 21st Century we are more technology advanced than any other century that has preceded us. Not only are we a society that seeks answers, quick fixes and fast responses, but we also want to have the satisfaction of controlling our personal information, health information as well as our sensitive private information. This has become more challenging every day with the advancement of internet use (cyber), breaches, and the opportunity to harvest this information without proper authorization, consent and/ or disclosure including theft of a person’s information. Society understands the need to develop research to better serve them and their health needs and issues, but they also understand that not all their information is needed to be shared to collaborate with other health entities. We still need to protect a person’s health information by utilizing and abiding by the Health Insurance Portability and Accountability Act (HIPAA, 1996) and the regulations that have been developed to protect a person’s privacy and their information. This would also include the HITECH Act of 2009. Technology has further improved upon Electronic Data Interchange utilizing the American National Standards Institute X12 which was introduced prior to HIPAA in the 1960’s, initially when Railroad companies used it to improve the quality of inter-company communications. Then in the 1970’s the grocery industry began to use it within their technology systems. This led to the development of a committee in 1973 to create the standards that have been using in the health industry today and continuously improving the purpose and scope of which these platforms are used.

This brings us to the current issues that we see today within the Health Industry:

1. Privacy and Protection of Health Information
2. Standardizing the IT systems being utilized throughout the industry; compatibility to synch information from different IT systems
3. Accessibility of Health Information as well shielding Sensitive Personal Information
4. The security of sharing this information among multiple sources
5. The control of the use of this information; acknowledging the minimal use regulation
6. Person’s ability to access their own information from anywhere when needed
7. Establishing an authority to monitor, audit and oversee the regulatory compliance of these systems and the ability to turn off or freeze system access if an intrusion is detected

A solution to the above issues listed may be to develop a cloud-based databank that is governed by a regulation body to assure that security and compliance is being upheld with the utilization of such a databank. This would allow physicians, clinics, hospitals as well as patients to be able to access their information with control access and two party authentication. One struggle would be to have all the information to be sent within the same data interchange format; this would address the issue of incapability (i.e. data blocking), and the inability of one source or entity to read the record that was being retrieved. This could also include payer sources claims and processing information; this would also address the issue that has been raised previously regarding clearinghouses releasing medical information they may have attached to a claim to a patient, of which they are not the author of the document nor are they medically inclined to understand the impact of such information being released.

Databanks have been utilized previously over the years to assist in obtaining childhood vaccination records, etc. So a databank solution is not a new concept, but could be an innovative concept to utilize in a manner to serve the population as well as the industries that are servicing them, including research institutes. The cloud databank could be utilized by the whole medical industry with utilizing today’s available technology coupled with today’s Information Security protocols.

Best regards,

Lisa J. McKeen

HIPAA Privacy and Security Officer, eMedNY

c/o GDIT/eMedNY

150 Broadway-Suite#450 W

Menands, NY 12204

Lisa.McKeen@gdit.com