

# State of Nebraska Health Information Technology Board PDMP Patient Portal Policy

<b>Policy:</b> State of Nebraska Health Information Technology Board PDMP Patient Data Requests and Patient Portal Policy		<b>Accountability:</b> Systems Support Manager / CyncHealth Staff / Vendors:	
<b>Effective Date:</b> 11/18/2021	<b>Review Date:</b>	<b>Referenced Procedures:</b>	
<b>Intended Audience:</b> All CyncHealth staff and vendors working on behalf of CyncHealth.			
<b>Approval:</b> 11/18/2021 9/19/2024		<b>Approval:</b>	
<b>Title:</b> HIT Board		<b>Title:</b>	

## STATEMENT

In accordance with the standards set forth under the Health Insurance Portability and Accountability Act (“HIPAA”) as well as federal and state statutory and regulatory requirements (hereafter referred to as “Regulatory Requirements”), CyncHealth is committed to ensuring the confidentiality, integrity, and availability of protected health information and electronic protected health information (PHI/ePHI), as well as any sensitive and confidential data it creates, receives, maintains, and/or transmits. For the purposes of this policy, PHI, ePHI and sensitive and confidential data shall be referred to herein as “Covered Information.”

## DEFINITIONS

- **Electronic Protected Health Information (ePHI):** Information that is “individually identifiable health information” and is created, received, maintained, or transmitted in any electronic form or medium.
- **Health Information Technology Board (HIT Board):** A seventeen-member board of healthcare professionals appointed by the Governor of Nebraska to oversee the State of Nebraska Health Information Exchange and the State of Nebraska Prescription Drug Monitoring Program (PDMP).
- **Prescription Drug Monitoring Program (PDMP):** The system established in Nebraska as a standalone medication query platform that collects all prescriptions dispensed from pharmacies and other dispensers, established through Neb. Rev. Stat. § 71-2454.
- **Protected Health Information (PHI):** Information that is “individually identifiable health information” and is created, received, maintained, or transmitted in any form or medium.

# PURPOSE

The purpose of this policy is to document the State of Nebraska HIT Board’s responsibilities surrounding patient requests for prescription drug information from the Nebraska PDMP through the Patient Portal. The objective is to provide clarity surrounding definitions and the relationships between the State of Nebraska HIT Board, the Nebraska Department of Health and Human Services, and CyncHealth. This policy seeks to establish parameters in compliance with Regulatory Requirements related to limited and proper disclosure of PDMP data by ensuring CyncHealth staff are aware of the requirements and expectations surrounding the State of Nebraska HIT Board and PDMP data requests made by patients.

# SCOPE AND APPLICABILITY

This policy covers the Nebraska PDMP data provided through the Patient Portal, the PDMP data of which is overseen by the State of Nebraska HIT Board.

# ROLES AND RESPONSIBILITIES

The State of Nebraska HIT Board with the support of CyncHealth Chief Legal Counsel will be responsible for the enforcement, interpretation, management, review, and education of this policy. Likewise, CyncHealth staff will be responsible for acknowledgement and adherence to this policy.

# POLICY

Patients and Authorized Representatives acting on their behalf may request their prescription drug records pursuant to Neb. Rev. Stat. § 71-2454 Sec. 8.

## Patient Portal Security

CyncHealth will establish the minimum administrative, physical, and technical safeguards necessary to protect the confidentiality, integrity, and availability of prescription drug information.

## PDMP Patient Prescription Drug Information Request Process

Patients and Authorized Representatives acting on their behalf may accept an agreement to have access to their PDMP prescription drug information through a web-based Patient Portal.

# COMPLIANCE

CyncHealth staff will be required to comply with all information security policies and procedures as a condition of employment or contract with CyncHealth. CyncHealth staff who fail to abide by the requirements outlined in the State of Nebraska HIT Board Policy and Procedures will be subject to disciplinary action up to and including termination of employment or contract.

# ANNUAL REVIEW

Date:	Reviewed By:	Comments/Updates:
9/19/2024	HIT Board	No changes