

TITLE: Governing Principles for Operational Policies and Procedures	
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Program: Hawai'i HIE	Revision Date: June 16, 2021
Approved By: Hawai'i HIE Board of Directors	

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1. Purpose

The purpose of this document is to define a set of Governing Principles to protect and facilitate the exchange of protected health information (PHI) via the Hawai'i HIE's Health eNet system ("Health eNet", the "System"), thus laying the foundation for the development of the Hawai'i HIE Operational Policies and Procedures governing participation with the Hawai'i HIE and use of the Health eNet.

2. Scope

Hawai'i HIE Operational Policies shall be derived from the Governing Principles set forth in this policy.

The Governing Principles are not intended to replace or supersede business principles underlying Participants' policies related to processes and systems not owned or administered by the Hawai'i HIE.

3. Definitions

Please refer to Hawai'i HIE's *Definitions* policy (HEN-000) for the definitions of key terms and phrases within the Governing Principles set forth in this policy, and the Hawai'i HIE Operational Policies derived from them.

4. Policy and Procedures

- 4.1. Compliance with Laws and Policies.** Participation with the Hawai'i HIE and use of the Health eNet must be in compliance with Hawai'i HIE Operational Policies, HIPAA Privacy and Security laws, Information Blocking Rules, and other applicable federal and state laws.
- 4.2. Openness and Transparency.** Hawai'i HIE will maintain clear, open and frequent communications with its Participants and stakeholders. Openness and transparency help promote appropriate privacy practices, and give individuals confidence with regard to privacy of PHI within the System, which in turn can help increase consumer participation in health information networks. The Health eNet policies and procedures have undergone extensive development and review by the Hawai'i HIE Legal/Policy Committee, comprised of representatives from hospitals, health plans, laboratories, physicians, business owners and other health care organizations and consumers throughout Hawai'i.
- 4.3. Permitted Access and Use.** Participants may utilize the System consistent with required and permitted requests, accesses, uses and disclosures of PHI, and other obligations as defined under Hawai'i HIE's policies, HIPAA and other applicable federal and state laws. Primary uses of PHI available via the Hawai'i HIE include:
1. Treatment,
 2. Payment activities,
 3. Case management and care coordination,
 4. Public health activities as authorized by law, and
 5. Other disclosures as required by law.

Direct secure exchanges will be allowed between Participants, Participants and government entities, or Participants and third parties; as permitted and in compliance with Hawai'i HIE's policies, HIPAA and other applicable federal and state laws.

All other requests, accesses, uses and disclosures of PHI are considered secondary uses, and will be evaluated on a case-by-case basis by the Hawai'i HIE staff and Board of Directors.

- 4.4. Individual Rights and Informed Decisions.** Individuals, i.e. patients, have rights regarding their PHI exchanged via and residing within the Health eNet so they can make important decisions about the availability of their PHI via the Hawai'i HIE, as follows.

Each individual has the right to:

1. Opt-Out of having his/her PHI stored in the Health eNet available via queries of the System (i.e. stop/block access to his/her PHI stored in the System);
2. Opt-Back-In: i.e. revoke his/her Opt-Out option, allowing access to his/her PHI stored in the System to resume,
3. Request a copy of his/her PHI stored in the System,
4. Request to amend his/her PHI stored in the System, and
5. Request an accounting of certain disclosures of his/her PHI executed via the System.

- 4.5. Data Integrity and Quality.** The information provided to Hawai'i HIE should be relevant, accurate, complete and current to provide value to Participants and Stakeholders. The Health eNet must maintain integrity of the information.

- 4.6. Security Safeguards and Controls.** The Hawai'i HIE shall implement security safeguards, standards and controls to protect privacy, strengthen security, and engender trust among all Participants and stakeholders. Privacy and security safeguards should maintain the security of PHI stored in and processed by the Health eNet.
- 4.7. Accountability and Oversight.** Participants, per applicable laws and their respective policies and procedures, must provide necessary oversight of their workforces, and will be held accountable to identify and address privacy and security violations and breaches. Employee training and audits, in addition to other oversight tools, must be employed to identify and address privacy and security violations and breaches. Violators will be held accountable, including possible exclusion from further participation in the Hawai'i HIE, and may be reported to government authorities as required by applicable laws.
- 4.8. Remediation.** To ensure privacy protection, there must be appropriate remedies that hold violators accountable for failing to comply with Hawai'i HIE operational policies and/or applicable laws. All Participants have a responsibility to participate in efforts to investigate, mitigate and remediate improper use of the Health eNet and incidents that may compromise the integrity of the System or the information stored within the System.

5. Revision History

Revision Date	Revision Type*	Author(s)	Revision Rationale, Description	Approved by
April 4, 2012	New	Hawai'i HIE	Initial version of policy	Christine Sakuda
May 24, 2013	Amendment	Legal/Policy Committee	Content and technical-writing edits, policy identification number revision	Hawai'i HIE Board of Directors
July 15, 2015	Amendment	Legal/Policy Committee	Table of contents, section numbering and new definitions added; sections restructured for conformity with other operational policies	Hawai'i HIE Board of Directors
September 19, 2018	Amendment	Legal/Policy Committee	Scheduled substantive review of operational policy; edited for conformity with applicable laws, standards, and guidance	Hawai'i HIE Board of Directors
June 16, 2021	Amendment	Legal/Policy Committee	Scheduled substantive review of operational policy; edited for conformity with applicable laws, standards, and guidance	Hawai'i HIE Board of Directors

* Revision Type options = New, Amendment, Minor Amendment, Consolidation (i.e. merging of multiple policies)