

# Health Home Implementation Webinars

Session #32– February 19, 2014

Program Updates



# Agenda

- ▶ Data Sharing
- ▶ Consent Update: PSYCKES Access
- ▶ Q and A

# Data Sharing

# Protected Health Information (PHI)

Sharing protected health information (PHI) on Medicaid beneficiaries without an approved Data Exchange Application and Agreement (DEAA) is a Federal HIPAA and NYS Medicaid violation.

Source: §160.202 and § 160.203

# Relevant Statutes

- ▶ *Section 367b(4) of the NY Social Services Law*
- ▶ New York State Social Services Law Section 369 (4)
- ▶ Article 27-F of the New York Public Health Law & 18 NYCRR 360-8.1
- ▶ Social Security Act, 42 USC 1396a (a)(7)
- ▶ Federal regulations at 42 CFR 431.302, 42 C.F.R. Part 2
- ▶ The Health Insurance Portability and Accountability act (HIPAA), at 45 CFR Parts 160 and 164

# Minimum Necessary Standard

When using or disclosing PHI (prior to consent), or when requesting PHI from another covered entity, a covered entity must make reasonable efforts to limit PHI to the “minimum necessary” to accomplish the intended purpose of the use, disclosure or request.

Source: HIPAA Administrative Simplification Regulation Text 45CFR parts 160, 162 & 164

# Minimum Necessary Standard

- ▶ The Health Home consent form should be tailored to meet an individual's needs.
- ▶ The consent form should not list a Lead Health Home's entire list of down stream providers.
- ▶ Only those providers engaged in the treatment of the individual should be listed on page 3 of the Health Home consent.
- ▶ As other providers become involved in the care of the individual, the consent form may be modified accordingly.

# Minimum Necessary Standard

- ▶ Health Homes engage dozens of down-stream providers (aka subcontractors) to assist in the delivery of services to enrollees. The “minimum necessary” standard requires that each down-stream provider see only information pertinent to enrollees under its care.
- ▶ One such Health Home was found to have a computer glitch that accidentally allowed at least one downstream provider access to the entire database of the lead Health Home.
- ▶ The Health Home was fully cooperative and the problem was easily fixed in a timely manner.
- ▶ This demonstrated to DOH that the involved Health Home was fully cognizant of the importance of the “minimally necessary” standard.



# Health Home Consent and PSYCKES Access

# Health Home Patient Information Sharing Consent (DOH 5055)

- ▶ The DOH 5055 consent has been updated to include access to The Psychiatric Services and Clinical Knowledge Enhancement System for Medicaid (PSYCKES).
- ▶ The new English version (12/13) of the consent is posted on the DOH Health Home website. Translations to follow shortly.

# What is PSYCKES ?

- ▶ PSYCKES is a HIPAA compliant web application developed by OMH that provides access to Medicaid claims and encounter data for clinical decision-making and quality improvement.
- ▶ The New York State Department of Health (DOH) and Office of Mental Health (OMH) have a Memorandum of Understanding (MOU) through which PSYCKES can be accessed to obtain claims data for Medicaid enrollees with a mental health service, diagnosis, or psychotropic medication claim.

# Using the Revised DOH 5055

- ▶ The inclusion of PSYCKES in the DOH 5055 consent allows for the release of protected health information (PHI) to support coordination of care by agencies serving the Health Home member.
- ▶ Agencies using the revised DOH 5055 must have appropriate authorization to access PSYCKES.

# Using the Revised DOH 5055

- ▶ A new DOH 5055 consent does not have to be signed for every Health Home member.
- ▶ The new DOH 5055 consent will need to be completed and signed ONLY for members for whom access to PSYCKES data is appropriate.
- ▶ Health Home members may refuse or limit access to PSYCKES, which must be clearly indicated in the DOH 5055.

# Useful Contact Information

- NYS Medicaid Health Home website:  
[http://www.health.ny.gov/health\\_care/medicaid/program/medicaid\\_health\\_homes/](http://www.health.ny.gov/health_care/medicaid/program/medicaid_health_homes/)
- Get updates from the Health Homes listserv. To subscribe, send an email to: [listserv@listserv.health.state.ny.us](mailto:listserv@listserv.health.state.ny.us)  
(In the body of the message, type SUBSCRIBE HHOMES-L  
YourFirstName YourLastName)
- Call the Health Home Provider Support Line: (518) 473-5569
- For more information about PYSCKES, contact:  
[PSYCKES-Help@omh.ny.gov](mailto:PSYCKES-Help@omh.ny.gov)