APPENDIX A:
INFORMATION COLLECTION TEMPLATE (BLANK)

1. Project Director's Guide
2. Template for Scenario 1 and 2 (Excel file)
3. Template for Scenario 3 (Excel file)
4. Template HIO Policy (MS Word file)

Organization of the Information Collection Template

Four distinct documents make up the Information Collection Template deliverable as follows:

Document File Name	Description	File Type
App_A1_PROJECT-DIRECTORS-GUIDE.doc	Deliverable CD-2 description and template instructions for each of three scenarios intended for use by Project Directors from participating states	MS Word
App_A2_Template_Scenarios_1_and_2.xls	Data collection instrument for Treatment Scenarios 1 (nonemergent) and 2 (emergent)	MS Excel
App_A3_Template_Scenario_3.xls	Data collection instrument for Treatment Scenario 3—state public health agency as disclosing party	MS Excel
App_A4_Template_HIO_Policy.doc	OPTIONAL information collection form to capture information regarding where HIO policies differ from state law	MS Word

A STUDY OF DISCLOSURE LAW REQUIREMENTS FOR INTERSTATE HEALTH INFORMATION EXCHANGE

PROJECT DIRECTOR'S GUIDE to INFORMATION COLLECTION

August 2008

Version 1.0

PROJECT DIRECTOR'S GUIDE
TO
INFORMATION COLLECTION

1. Introduction and General Instructions

Purpose

The purpose of this document is to provide instructions to guide collection of information about state laws and regulations that apply to the disclosure of protected health information (PHI) across state lines. This document accompanies an information collection template that include both open-ended questions to capture the nuances of when and in what situation disclosure laws are initiated and worksheets that collect information, as protected health information varies by type and source/setting in which they are created and held.

Information Collection

The template is intended to allow flexibility in how it is administered. Completion of this template may be accomplished in a variety of ways:

- Data may be collected using a facilitated group session, an individual respondent, or a combination of the two. It is recommended that a facilitator (e.g., state project director) be involved, at least initially, to help explain the template organization. It is likely that the completion of the template will necessitate at least a two-step process: one session for explaining the template organization and goals, and another session where the individuals providing the responses research what the answers would be and complete the applicable template sections. There also could be a third step where a group validates the responses.

Organization

This instruction packet includes:

- Part 1: Introduction and General Instructions
- Part 2: Project Director's Guide
    - 2.1 Administration Mode 1: Facilitated Session
    - 2.2 Administration Mode 2: Independent Respondents
- Part 3: Information Collection Template
    - 3.1 Worksheets in Excel files
    - 3.2 Project Director feedback
    - 3.3 OPTIONAL: HIO Policy

2. Project Director's Guide

INSTRUCTIONS: Please follow the steps as described to complete the template.

1. Please review these instructions and the packet in its entirety before beginning work on the template. The data requested pertain to two scenarios related to information exchange for treatment purposes (Scenario 1: Nonemergency and Scenario 2: Emergency) and one scenario related to information exchange for treatment purposes in the context of a state public health agency as the disclosing party (Scenario 3).
2. Please determine the mode of information collection. If the template will be completed
    a. via a Facilitated Group Session, → **GO TO** **Part 2.1** (page 5).
    b. by an Individual Respondent, → **GO TO** **Part 2.2** (page 6).
3. Please complete all of Part 3 by following:
    a. Please complete the instrument in an electronic or paper-based format, → **GO TO the corresponding Excel file**.
        i. For Scenarios 1 and 2, please do the following:
            1. Review the introduction and definitions.
            2. Review Scenario 1.
            3. Review and complete general questions.
            4. Complete all worksheets related to Scenario 1, as appropriate.
            5. Review Scenario 2.
            6. Complete open-ended questions specific to Scenario 2.
            7. Complete all worksheets related to Scenario 2, as appropriate.
        ii. For Scenario 3, please do the following:
            1. Review the introduction and definitions.
            2. Review the scenario.
            3. Review and complete general questions.
            4. Complete all worksheets for Scenario 3, as appropriate.
    b. OPTIONAL: If the Project Director has identified one or more health information organization(s) (HIOs) in its state that would like to participate in providing information on the HIO's policies related to use of PHI for treatment purposes, the Project Director can facilitate the completion of the "HIO Policy Template" document for each such HIO. [Note that any HIO template should only document where the particular HIO policies impose additional limitations on disclosure of PHI for treatment purposes that are more restrictive than applicable state law.]

2.1 Facilitated Group Administration Mode

1. Please follow the steps as described to complete information collection in a group setting.
2. a. Introduce the Facilitated Session by reading the script below or using a similar introduction.
    b. Allow time for questions to assure clarity and shared understanding of the purpose and approach to information collection.

FACILITATOR SCRIPT

Hello, My name is ______________________ and I am a/an (position)_____________, working for (organization)_______________________. **Thank you all for participating in this important project.** **I'm collecting information on how our state exchanges health information, especially when we need to do so with another state. In particular, we're interested in the type of consent that is required given a certain scenario. I will read you the scenario and then ask a series of questions.** **Before we start, do you have any questions?**

→ ONCE QUESTIONS HAVE BEEN ANSWERED, PROCEED TO **PART 3** TO BEGIN DATA COLLECTION (Page 7)

2.2 Individual Respondent Administration Mode

3. Instruct the Respondent to read the full instrument package and all applicable instructions, with special attention to inclusions and exclusions. An instrument walk-through session with individual respondents is recommended.
4. Allow an opportunity for questions to assure clarity and shared understanding of the purpose and approach to information collection.

→ PROCEED TO **PART 3** TO BEGIN INFORMATION COLLECTION (Page 7)

3. Information Collection Template

3.1 Worksheets

3.1.1 Scenario 1 (Nonemergency Treatment) and Scenario 2 (Emergency Treatment)

- Please open the Excel file entitled "Template for Scenario 1 and 2 FINAL080408.xls" and begin with the first worksheet.
- To get to the first worksheet, look at the bottom of the Excel screen for the tab named "Intro." You will be able to navigate through the worksheets in the Excel by clicking on the tabs at the bottom of the Excel window. Be sure to scroll up and down on each worksheet to ensure that you have completed the entire worksheet. On some worksheets, you may need to scroll left and right.
- The Excel file includes the following tabs. **Tabs 3–12 should be completed and submitted**.

Complete Worksheets 1–12:

1. "Intro"—describes the purpose of the Excel file, scope of the project, definitions, assumptions, and provides an overview of directions for worksheet completion.
2. "Definitions for Worksheet A"—provides definitions for each labeled columns and rows in Worksheet A for both Scenario 1 and Scenario 2.
3. "General Questions"—has open-ended questions about your state's disclosure laws.
4. "1A-Baseline (nonemergency)"—is Worksheet 1A (a 20x14 table) describing Scenario 1.

5. "1B-Details"—is Worksheet 1B and asks for further explanations for the "yes," "sometimes," or "unclear," responses from Worksheet 1A.
6. "1C-Citation"—is Worksheet 1C and asks for documentation of legal citations to state laws for the "no" or N/A responses from Worksheet 1A.
7. "1D-Consent Questions"—is Worksheet 1D asks related questions for the "yes," "sometimes," or "unclear," responses from Worksheet 1A.
8. "Questions for Scenario 2"—describes scenario 2 and contains a set of questions specific to scenario 2.
9. "2A-Baseline (non-emergency)"—is Worksheet 2A (a 20x14 table) and describes Scenario 2 again.
10. "2B-Details"—is Worksheet 2B and asks for further explanations for the "yes," "sometimes," or "unclear," responses from Worksheet 2A.
11. "2C-Citation"—is Worksheet 2C and asks for documentation of legal citations to state laws for the "no" or N/A responses from Worksheet 2A.
12. "2D-Consent Questions"—is Worksheet 2D and asks related questions for the "yes," "sometimes," or "unclear," responses from Worksheet 2A.
13. "Example of A"—provides examples to complete Worksheet 1A and 2A.
14. "Example of B"—provides examples to complete Worksheet 1B and 2B.
15. "Example of A"—provides examples to complete Worksheet 1C and 2C.
16. "Example of A"—provides examples to complete Worksheet 1D and 2D.

3.1.2 Scenario 3 (Public Health Agency as a Disclosing Party for Treatment Purposes)

- Please open the Excel file entitled "Template for Scenario 3 FINAL080408.xls" and begin with the first worksheet.
- To get to the first worksheet, look at the bottom of the Excel screen for the tab named "Intro." You will be able to navigate through the worksheets in the Excel by clicking on the tabs at the bottom of the Excel window. Be sure to scroll up and down on each worksheet to ensure that you have completed the entire worksheet. On some worksheets, you may need to scroll left and right.
- The Excel file includes the following tabs. **Tabs 3 through 8 should be completed**.

Complete Worksheets 3–8:

1. "Intro"—describes the purpose of the Excel file, scope of the project, definitions, assumptions, and provides an overview of directions for worksheet completion.
2. "Definitions for Worksheet 3A"—provides definitions for each labeled columns and rows in Worksheet 3A.
3. "Gen Questions for Scenario 3"—has a set of open-ended questions about your state's disclosure laws.
4. "3A-Baseline (public health)"—is Worksheet 3A (a 12x7 table) and describes Scenario 3—the public health scenario.

5. "3B-Details"—is Worksheet 3B and asks for further explanations for the "yes," "sometimes," or "unclear," responses from Worksheet 3A.
6. "3C-Citation"—is Worksheet 3C and asks for documentation of legal citations to state laws for the "no" or N/A responses from Worksheet 3A.
7. "3D-Consent Questions"—is Worksheet 3D asks related questions for the "yes," "sometimes," or "unclear," responses from Worksheet 3A.
8. "State Policy"—asks for additional state policies that go beyond state laws in limiting PHI disclosure.
9. "Example of A"—provides examples to complete Worksheet 3A.
10. "Example of B"—provides examples to complete Worksheet 3B.
11. "Example of C"—provides examples to complete Worksheet 3C.
12. "Example of D"—provides examples to complete Worksheet 3D.

3.2 Optional: HIO Policy Template

Purpose

Completion of the HIO Policy Template is OPTIONAL. To provide information about the policies of one or more Health Information Organization(s) within your state, follow the directions below to provide the information. The purpose of the HIO Policy template is to collect information about the HIO's policies for disclosure of PHI to a healthcare provider for treatment of a patient, to the extent that (a) the HIO is developed enough to have policies regarding such disclosure, and (b) the HIO has disclosure requirements more restrictive than that of your state law.

Directions

1. Please open the Word file entitled "Template HIO Policy FINAL080408.doc" and follow the directions in the document.
2. Complete one HIO Policy template for each desired HIO. Since a state may have more than one HIO, more than one HIO Policy template document may be completed.
3. Submit all HIO Policy template document(s) along with the state's submission of the other completed templates by the due date.