



February 4, 2015

Karen B. DeSalvo, M.D., M.P.H., M.Sc.
National Coordinator for Health Information Technology
Acting Assistant Secretary for Health

Dear Dr. DeSalvo:

The Society for Adolescent Health and Medicine (SAHM) is an organization of health professionals exclusively dedicated to the health and well-being of adolescents and young adults [<http://www.adolescenthealth.org/Home.aspx>]. We are physicians and nurses who spend the majority of our clinical time focused on delivering developmentally-appropriate high-quality health to young people between the ages of 10 and 25 - within the context of their families. We also have expertise and experience related to delivery of adolescent healthcare in the context of new information technology.

We are writing in support of the Federal Health IT (HIT) Strategic Plan for 2015-2020. **We also want to provide key recommendations for HIT issues which impact patient privacy and confidentiality.**

The ability to deliver consistent quality health care services and address population health concerns requires the consistent transfer of reliable information across HIT systems. Yet sharing of information inherent in the HITECH act creates significant challenges for the protection of patient confidentiality and privacy for many vulnerable populations of adults, children and families. Federal laws such as HIPAA and HITECH promote the release of information but clinical best practices, and local laws, require the protection of records pertaining to sensitive patient care or family histories from individuals who may otherwise have access to these records.

These state laws may be in conflict with federal guidelines and therefore either limit the intent of HITECH or alternatively unnecessarily expose patients and institutions to privacy breaches. To navigate this conflict, many institutions and medical providers choose to turn off HIT or electronic health record (EHR) features such as patient portals for certain groups of patients to avoid inadvertent release. This is often an incomplete solution as privacy breaches still occur, and restricting access for vulnerable populations compromises the spirit of HITECH and HIT use for population-based health care.

To date, advocacy efforts targeting HIT vendors have not been successful as vendors are primarily focused on meeting EHR certification and Meaningful Use standards. We believe that lack of functionality to promote privacy protection within existing and emerging HIT systems negatively impacts several of Federal Health IT Principles including: Respect for individual preferences, building a culture of electronic health information access and use, and encouraging innovation and competition. We have several key recommendations for EHR certification and Meaningful Use regulations.

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These include needs for:

1. **Point of care, transferrable “Privacy Tagging”** for sensitive information in discrete portions of EHR.
2. **Default option to “not print / not share” for privacy protection** of known confidential workflows.
3. **Flexible patient portals that allow differential proxy access** to prevent inadvertent breaches.
4. **Selective mailing of Explanation of Benefits (EOBs) for confidential care** as per state laws.
5. **Guidance on how to navigate conflicting state and federal privacy law.**

Additionally, we believe the recommendations above address several of the Strategic Plan Goals and Objectives as outlined below:

Goal 1. Objective B. Increase user and market confidence in the safety and use of HIT.

Goal 2. Objectives B. and C. Identify, prioritize, and advance technical standards to support secure and interoperable health information. Protect the privacy and security of health information

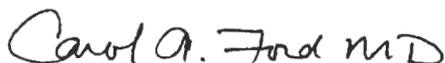
Goal 3. Objective A. Health care quality, access, and experience through safe, timely, effective, efficient, equitable, and person-centered care

In summary, we support the Federal Health IT (HIT) Strategic Plan for 2015-2020, while also recommending that the strategic plan more explicitly address HIT issues which impact patient privacy and confidentiality. This is a critically important issue for children, adolescents, adults, and their families. For the age group that SAHM focuses on - adolescents and young adults - patient privacy and access to confidential healthcare directly influences care-seeking, quality of healthcare, and health outcomes. We appreciate your consideration of our recommendations, and feel free to contact us if that would be useful.

Sincerely,



Ryan H. Pasternak MD MPH
Chair, SAHM Electronic Health Records Sub-Committee



Carol A. Ford MD FSAHM
President, Society for Adolescent Health and Medicine