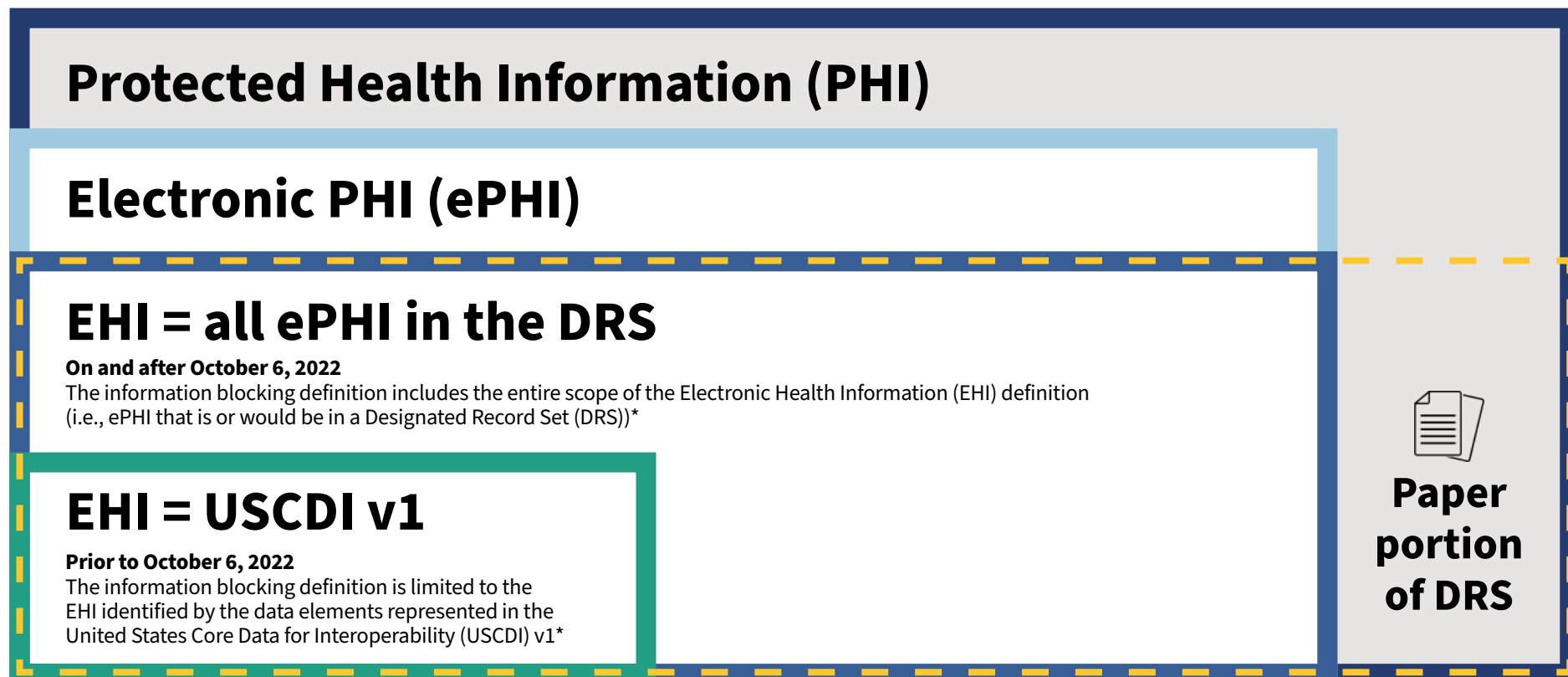


# Understanding the Scope of Electronic Health Information (EHI) for the Purposes of the Information Blocking Definition



## Designated Record Set (DRS) Scope

\* EHI includes electronic protected health information (ePHI) to the extent that it would be included in a designated record set (DRS), regardless of whether the group of records is used or maintained by or for a covered entity or business associate. EHI does not include: psychotherapy notes as defined in 45 CFR 164.501; or information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding. 45 CFR 171.102

Note #1: The infographic is not intended to depict the *actual* scope of each category of health information in a designated record set. For example, a DRS may consist of no paper records and EHI identified by only the data elements represented in the USCDI v1.

Note #2: Actors (45 CFR 171.102) not covered by HIPAA should familiarize themselves with this infographic and with HIPAA terms, and should assess what information they have that would be considered records that align with those included in the DRS. Such information is EHI for purposes of the information blocking definition.