

21st Century Cures Act

Information Blocking: Expansion of the Designated Record Set

Frequently Asked Questions – Expansion of the Designated Record Set

A patient has requested to have their records (medical and/or financial/billing records) sent to an electronic medical record (EMR) at another office or hospital. Can we do that?

- If feasible, the Organizations will send records to an EMR at another office or hospital. Please contact HIM or email mhc-cures-request@mhc.net to initiate this process.

Can a patient have their records (medical and/or financial/billing records) sent to a third-party app such as MyFitnessPal, Apple Health, or Fitbit?

- If feasible, the Organizations will send records to a third-party app. Please contact HIM or email mhc-cures-request@mhc.net to initiate this process.

A patient has asked for their records (medical and/or financial/billing records) to be saved onto a CD, flash drive, or SD card. Can we accommodate this?

- Yes! Patient records can be loaded onto a CD, flash drive, or SD card that has been issued from the Organizations supplies. Patients **may not** bring their own media to avoid introducing malware, viruses, etc. to the Organizations systems. Please see [PolicyStat policy ID 8856289: Release of Medical Records and/or Patient Information](#) for more information on how to securely process this request.

Is the information in the DRS available in the Organization's patient portals?

- The information included will vary based on the EMR and patient portal in use at a specific entity. Currently, no financial or billing information is included in any patient portal. The Organizations are working diligently to include as much information as possible on the patient portals, with a specific focus on the Cerner Millennium patient portal.

What is the turnaround time for record requests?

- Generally, requests will be processed within 30 days. If the Organizations are unable to fulfill a request in the manner requested, the Organizations will notify the requestor within 10 business days. All requests must be treated as time-sensitive.

Can another medical provider/clinic/hospital request records for continuity of care?

- Yes, with appropriate patient authorization. If feasible, the Organizations will provide the records in the format requested, or otherwise work with the requestor to provide the records in an alternative format. These requests are also upheld under the 21st Century Cures Act and need to be processed as time-sensitive. Please see [PolicyStat policy ID 8856289: Release of Medical Records and/or Patient Information](#) for more information.

I work in a pharmacy/homecare/long-term care facility. Do these patient records fall under the 21st Century Cures Act requests?

- Yes, they do!

If you have any questions regarding record requests, please contact Health Information Management (HIM) or email mhc-cures-request@mhc.net in a timely manner.

Frequently Asked Questions – General CURES Act Information**What is the Cures Act and restriction against information blocking?**

- The goal of the 21st Century Cures Act ('Cures Act') is to promote electronic health information exchange and ensure patients and others receive information faster and more efficiently. Under the Cures Act, information blocking is any action that knowingly interferes with access, exchange, or use of electronic health information unless the requirements of an exception are met.

Does this apply to independent (non-Munson Healthcare) owned practices?

- Yes. All healthcare providers are subject to the Cures Act mandates. Independent practices are responsible to develop procedures and innovations to comply with the Cures Act.

Doesn't this violate HIPAA?

- No. The electronic health information covered by the Cures Act belongs to the patient. They have a right to access this information. Healthcare providers are required to create processes that both protect the patient by not allowing electronic health information to be released inappropriately, while also promoting ease of electronic access, use, and exchange by the patient or their designee.

What steps has Munson Healthcare taken to prepare for the requirements of the Cures Act?

- Munson Healthcare has developed workflows to vet all requests for electronic health information in a specified electronic format. These workflows should allow Munson Healthcare to respond within the required 10 days if we are unable to fulfill as requested.

What happens if Munson Healthcare does not comply with a request for electronic records in an electronic format?

- Unless the requirements of an exception are met, Munson Healthcare may be subject to a claim of information blocking, which could result in fines, penalties, reputational harm, or other disincentives.

Will all my progress notes and consultation notes be available to the patients?

- Yes. Progress notes, consultation notes, and other pieces of a patient's Electronic Health Record are already available to them now upon request but not in electronic format. The Cures Act mandates that these portions of the patient's record be available for electronic access, use, and exchange unless further protected by Federal or State rules.

Do I need to change how I am documenting in the patient's Electronic Health Record?

- No. Just be aware that the Cures Act promotes the electronic access, use, and exchange of electronic health information. Patients will have much easier access to their health information and may request their records more frequently than in the past.
- A reminder that Munson Healthcare policy requires that office notes be completed within a specified timeframe.

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Additional Resources

- [Health IT: About ONC's Cures Act Final Rule](#)
- [Munson Healthcare Cures Act Intranet Resources Page](#) (must be on an MHC-networked computer to access)

Additional Cures Act Questions?

Employed providers:

- Non-urgent questions: mhc-cures-request@mhc.net
- Urgent questions: Munson Medical Center Health Information Management, 231-935-6350

Independent providers: Speak to your practice manager.