

Health Information Exchange Assessment Codebook

This codebook describes the variables in a dataset that examines variation in state laws relating to health information exchanges (HIEs). This dataset includes laws in effect on June 7, 2016. The jurisdictions selected for measurement are the 50 states, US territories, and the District of Columbia.

HIE Governance			
Variable Name	Question	Answer Options	Dataset Value
G_StateW	Does the law authorize implementation of a statewide HIE?	Yes No/Not mentioned Ambiguous	1 2 4
G_StateW_Ctrl	Who retains control over the statewide HIE's operations?	State entity State-designated entity (SDE) State option to control Not mentioned Ambiguous N/A	1 2 3 4 5 6
G_StateW_Ctrl_SDE_non Profit	If an SDE controls the operation of the statewide HIE, is it required or authorized to function as a nonprofit corporation?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
G_PartAgree	Does the law require HIE participants to enter into participation agreements or business associate agreements with the HIE/HIO?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Incentives	Does the law incentivize HIE participation (excluding funds to be spent solely on HIE creation or implementation)?	Financial Nonfinancial Both None	1 2 3 4
G_Oversight	Is there an entity with oversight responsibilities for the HIE?	Yes No/Not mentioned Ambiguous	1 2 4
G_Oversight_Rules	Is the state entity authorized to promulgate rules and regulations pertaining to the HIE?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
G_Oversight_Resolve	Is the oversight entity authorized to resolve	Yes No/Not mentioned	1 2

HIE Assessment Codebook

	disputes and/or levy administrative penalties related to the HIE?	Ambiguous N/A	4 5
G_Oversight_AdvisB	Does the law authorize the creation of committees or advisory boards to assist the oversight entity?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
G_Oversight_Cert	Does the law require a HIE or health information organization to be certified as a prerequisite to operation?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
G_Oversight_Stand	Does the law require HIE participants to meet certain technical and/or interoperability standards?	Yes No/Not mentioned Ambiguous	1 2 4
G_Oversight_Compl	Does the law set forth a complaint mechanism for patients or HIE participants for adverse events related to the HIE?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
G_Transparency	Does the law include provisions addressing public transparency of HIE activities, including but not limited to public participation in HIE policy and public disclosures of HIE policies, operations, and activities?	Yes No/Not mentioned Ambiguous	1 2 4
G_Transparency_Eff	Does the law provide authority to a state entity for the evaluation or measurement of the HIE's effectiveness?	Yes No/Not mentioned Ambiguous	1 2 4
G_Transparency_Eff_Rep	Is the HIE required to submit reports to the public or legislature on its operations?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5

HIE Assessment Codebook

G_Transparency_Eff_Aud	Does the law provide authority to a state entity for auditing HIE operations?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
G_Ownership	Does the law address the ownership of data disclosed to the HIE?	Yes No/Not mentioned Ambiguous	1 2 4
G_Ownership_Prop	Do entities contributing to the HIE retain a property right/ownership interest over those data?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
G_Ownership_Prop_HIE	Does the HIE acquire an ownership interest of submitted data?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5

HIE Participants and Uses

Variable Name	Question	Answer Options	Dataset Value
Use	Does the law specify the users and uses of the HIE?	Yes No/Not mentioned Ambiguous	1 2 4
Use_Provid	Does the law authorize providers to access or contribute to HIE data for patient treatment?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Provid_Desig	<i>Does the law authorize participating healthcare facilities to designate roles within the facility for authorized HIE use?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Use_Provid_Mand	<i>Does the law mandate any providers to access or contribute to HIE data?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Use_Provid_AdvDir	<i>Can the HIE be used for an advanced directives registry?</i>	Yes No Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Patient	Are patients authorized to access their HIE data electronically through an HIE portal or user interface (i.e., excluding patient	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5

HIE Assessment Codebook

	access to emailed, faxed, or mailed copies of their records)?		
Use_Patient_Bi	<i>Does the law authorize bidirectional communication between patients and other HIE participants (e.g., communication between patients and providers regarding their medical treatment through an HIE portal or user interface)?</i>	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Patient_Change	<i>Are patients authorized to use the HIE to request amendments or make revisions to their data directly through an HIE portal or user interface?</i>	Yes, request amendments Yes, make alterations Both No/Not mentioned Ambiguous N/A	1 2 3 4 6 7
Use_EMS	Does the law specifically authorize emergency medical services (EMS) to access or contribute to HIE data for patient treatment?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Payer	Does the law authorize payers to access HIE data?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Payer_Bi	<i>Does the law address bidirectional communication between payers and other HIE participants through an HIE portal or user interface?</i>	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Lab	Does the law authorize medical labs to convey medical test results through the HIE?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Research	Does the law authorize educational	Yes, authorizes it Yes, does not	1 2

HIE Assessment Codebook

	or other research institutions to access HIE data <i>through an HIE portal or user interface (excluding research requiring express consent for the use of an individual's information)?</i>	authorize it Not mentioned Ambiguous N/A	3 4 5
Use_Employer	Does the law authorize employers to access the HIE (e.g., for conveying the results of employee drug tests or background checks)?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Pharm	Does the law authorize pharmacists and pharmacies to access the HIE (e.g., for the purposes of executing prescription drug orders and documenting other pharmaceutical care)?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Pharm_PDMP	<i>Can the HIE be used for prescription monitoring purposes by prescribers and those dispensing prescriptions?</i>	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_Marketing	Does the law address the use of HIE data for marketing or other commercial purposes <i>(excluding marketing or commercial purposes requiring express consent for the use of an individual's information)?</i>	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_PH	Does the law authorize state and local health authorities to access the HIE?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5

HIE Assessment Codebook

Use_PH_Bi	<i>Does the law address HIE bidirectional communication between public health authorities and other HIE participants through an HIE portal or user interface?</i>	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_PH_PDMP	<i>Can the HIE be used for prescription drug monitoring?</i>	Yes No Not mentioned Ambiguous N/A	1 2 3 4 5
Use_PH_CaseReport	<i>Can the HIE be used for case reporting?</i>	Yes No Not mentioned Ambiguous N/A	1 2 3 4 5
Use_PH_IIS	<i>Can the HIE be used for immunization reporting?</i>	Yes No Not mentioned Ambiguous N/A	1 2 3 4 5
Use_PH_SyndSurv	<i>Can the HIE be used for syndromic surveillance?</i>	Yes No Not mentioned Ambiguous N/A	1 2 3 4 5
Use_StateAgency	Does the law authorize any other state agency or entity (other than public health) to access the HIE?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_StateAgency_Bi	<i>Does the law address bidirectional communication between these state agencies and other HIE participants?</i>	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
Use_QM	Does the law authorize the collection of data on healthcare operations and quality through the HIE?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous N/A	1 2 3 4 5
HIE Data Protections			
Variable Name	Question	Answer Options	Dataset Value
Data	Are there provisions in the law designed to promote privacy, security, or	Yes No/Not mentioned Ambiguous	1 2 4

HIE Assessment Codebook

	confidentiality related to HIE data?		
Data_PtNotice	Does the law have patient notice requirements (excluding patient-initiated requests for information, such as a request for a medical record access audit log)?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_PtNotice_Collect	<i>...of the content of data collected or released by or through the HIE?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_PtNotice_Entities	<i>...of the entities with access to HIE data?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_PtNotice_Purpose	<i>...of the purposes for which patient data can be disclosed/used?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Correct	Is there a procedure for correcting or removing HIE data?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_HIEType	<i>Does the law vary on data protection requirements for query-based and point-to-point HIE functions?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Privacy	Does the law require privacy protections for the HIE (excluding direct reference to state or federal privacy laws)?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Privacy_Breach	<i>Does the law address privacy violations or breaches?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Privacy_PtRestrictions	<i>Can participating patients restrict certain health information from being disclosed to the HIE or restrict certain accesses or uses by HIE participants?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Privacy_Consent	<i>Is patient consent</i>	Opt-in	1

HIE Assessment Codebook

	<i>required for disclosure of patient data in the HIE?</i>	Opt-out Voluntary (not specified) No/Not mentioned Ambiguous N/A	2 3 4 5 6
Data_Privacy_Consent_Change	<i>Can patients change their consent preference?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Privacy_Consent_Emerg	<i>Is there an exception to the consent requirement in emergencies?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Privacy_Consent_Minors	<i>Are there specific consent requirements for minors?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Security	<i>Does the law address administrative, technical, or physical safeguards to secure HIE data (excluding direct references to state or federal laws)?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Security_Training	<i>Does the law require HIE users to receive security training?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Security_Encrypt	<i>Does the law require minimum encryption standards of HIE data (excluding general references to interoperability standards)?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Security_Authent	<i>Does the law require minimum standards for authentication of user identity?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Confid	<i>Are there express duties for providers or other HIE users to protect patient data from unauthorized accesses/disclosures?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Confid_Subpoena	<i>Are there provisions addressing subpoenas or other judicial court orders for HIE data?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Data_Confid_FOIA	<i>Are there provisions</i>	Yes	1

HIE Assessment Codebook

	<i>addressing public access requests of HIE data?</i>	No/Not mentioned Ambiguous N/A	2 4 5
Data_Confid_Sensitive	<i>Does the law provide heightened protections for sensitive health information (e.g., mental health information, genetic information, HIV test results)?</i>	Yes No/Not mentioned Ambiguous N/A	1 2 4 5

Funding

Variable Name	Question	Answer Options	Dataset Value
Funding	Does the law address HIE funding?	Yes No/Not mentioned Ambiguous	1 2 4
Funding_Implement	Does the law specify funding sources to cover initial HIE implementation costs?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Funding_Implement_ST		<i>State resources</i>	True/False
Funding_Implement_Fed		<i>Federal resources</i>	True/False
Funding_Implement_Priv		<i>Private contributions</i>	True/False
Funding_Implement_Fee		<i>Participant fees</i>	True/False
Funding_Longterm	Does the law specify funding sources for long-term operability?	Yes No/Not mentioned Ambiguous N/A	1 2 4 5
Funding_Longterm_ST		<i>State resources</i>	True/False
Funding_Longterm_Fed		<i>Federal resources</i>	True/False
Funding_Longterm_Priv		<i>Private contributions</i>	True/False
Funding_Longterm_Fee		<i>Participant fees</i>	True/False

Liability

Variable Name	Question	Answer Options	Dataset Value
Liability	Does the law provide immunity from liability for the HIE/HIO or its participants?	HIE Healthcare provider Both No/Not mentioned Ambiguous	1 2 3 4 6

Interjurisdictional Exchange

Variable Name	Question	Answer Options	Dataset Value
Interjurisdiction	Does the law address the exchange of data across state borders?	Yes, authorizes it Yes, does not authorize it Not mentioned Ambiguous	1 2 3 4

HIE Assessment Codebook