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Leveraging IT Operations in Health Care

Creating Alignment Through EHR as a Service and IT Service Delivery

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Agenda



- Understand Why
- Your Offering
- Know the Legal aspects
- The pivot from internal to external service delivery
- How to Begin
- Questions

Why?

- Develop a community wide medical record or EHR
- Leverage scale of IT services to create new revenue
- Fill a local market need for qualified health IT services
- Facilitate data sharing with a clinically integrated network (CIN) or accountable care organization (ACO)



Offering

- Electronic Health Record (EHR)
- Patient Portal
- Practice management
- Billing and Coding
- PACs
- e-prescribing and identity proofing
- Helpdesk
- Smart hands
- Security, data backup and disaster recovery services



Legal and Compliance

- Build a program rather than treating them like individual projects
- Tax Exemption
- Data Management
 - HIPAA/HITECH privacy
 - State data privacy and e-commerce laws
- EHR Interoperability



Legal and Compliance

- Conditions of Participation
- Anti-Kickback and Stark
 - Is it remuneration to the recipient?
 - Fair market value
 - Community-Wide Health Information System (Stark only)
 - FQHC (Anti-Kickback only)
 - Cybersecurity Donation Regulations
 - EHR Donation Regulations

EHR Donations Regs.

- EHR Donations Regulations –
 - Stark exception - 42 C.F.R. § 411.357(w),
 - Anti-kickback safe harbor - 42 C.F.R. § 1001.952(y)
 - Generally, permit the donation of eligible EHR items and services if the recipient pays not less than 15% of the cost of the items and services before they are received (“Cost Share”), and the transaction otherwise meets all elements of the applicable exception and safe harbor.
 - In addition, that IRS Guidance has provided guidance to tax exempt entities that these arrangements will not constitute impermissible private benefit or inurement so long as two additional conditions are met.

Practical Legal Consideration for Operations

- License Scope
- HIPAA
 - Uses and Disclosures
 - Patient Access
- Information Blocking
 - Access, Use and Exchange Obligations
 - Increased responsibilities and liability
- Cyber Liability and Insurance
- Financial Data and Antitrust Concerns
- Archive



Changing Your Mindset To Become A Service Provider

Understanding how ready you are to take on specific services is extremely important.

Make sure that you understand what must change for you to be able to deliver a service and what you believe you can deliver.

Your services will help define and differentiate you from others.



Be Prepared To Say Yes

You will be asked to help your customer address typical IT problems:

- Can you Fix my printer
- We just had our IT guy quit...

Understand what you can and can NOT do – both because you might have specific contractual restrictions that prevent you from doing something and because you do not have the right resources to ensure that you can do something.



Prepare To Manage The Customer Just Like A Vendor Would

Spend more time understanding how to implement a Customer Relationship Management program to help:

- Ensure that processes are followed so that your customer participates in governance or workflow changes
- Understands how technology changes are going to impact their workflows
- Ensures training is effective and requirements are followed





- Ensure that you assess how prepared you are when implementing a program.
- Leverage your internal staff before reaching outside your organization for additional resources and expertise.

- Develop relationships with people who have done this or can assist you in developing your roadmap and cost model.
- Align any IT service that you want to deliver with specific objectives that complement your program.

Questions?

For more information on these topics visit [hallrender.com](https://www.hallrender.com).

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