

INFORMATION AND DATA GOVERNANCE SERVICES

The digitization of medical records and advancements in technology have resulted in vast collections of diverse and valuable electronic data. The effective and compliant maintenance and use of such data presents operational and legal challenges to even the most sophisticated health care organizations, their technology vendors and other entities that access health data. Increasingly, data governance is needed to assure compliance with legal and community expectations regarding the storage, retention, maintenance and recognition of data subject rights. However, many organizations in the health field struggle to find the time, resources and support needed to develop a thoughtful approach to data governance. Hall Render and Hall Render Advisory Services can help your organization navigate these issues and develop a comprehensive data governance process.

THE HALL RENDER ADVANTAGE

We have broad experience in supporting data governance efforts, including:

- Working with several diverse health care organizations to develop and implement privacy and security programs tailored to the organization's structure, operation and mission.
- Providing counsel to a broad spectrum of health care organizations on privacy, including legal and practical implications of data aggregation and data de-identification.
- Negotiating contracts with EHR software companies on behalf of covered entities, including assistance with data exchange and interoperability/information blocking compliance.
- Assisting with the legal and compliance issues associated with extending use of a covered entity's EHRs to other community providers through EHR donation programs.
- Assisting health care organizations in analyzing and implementing arrangements to commercialize data.
- Counseling some of the nation's top health systems in establishing an innovative information-sharing platform for use by clinical researchers.

OUR APPROACH

We work carefully with our clients to understand their current data governance maturity and develop solutions specific to their needs, risk tolerance and operational goals. Our team can assist health care organizations in tackling these issues by providing the following services:

- Conducting a data governance gap analysis and assess your organization's current information and data governance maturity.
- Identifying federal, state and international privacy laws applicable to your organization's use and disclosure of certain types of data (i.e., PHI, PII, consumer data from health apps and technology, research data).
- Developing data governance policies and procedures to maintain the quality, accuracy and security of your organization's data.
- Assessing potential information-sharing relationships with industry and other health care organizations to proactively identify and address potential legal and reputational risks.
- Developing requests for proposals, assist in evaluating vendors and solutions and negotiate contracts for information technology acquisitions.
- Assisting with data migration assessments, including system conversions and decommissioning hardware/software assets.

CONNECT WITH US



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- Supporting legacy data and system conversions to ensure data remains available in accordance with your organization's record retention requirements.
- Providing counsel on privacy and security considerations in implementing health care application programming interfaces.
- Assisting with defining processes for identifying, escalating and resolving data access requests
- Assessing compliance with federal, state and international laws and regulations regarding collecting, transferring and sharing data for research purposes.
- Drafting or reviewing patient and consumer facing notice and consent documents to ensure compliance with legal requirements and sufficient scope for organizational interests.

REPRESENTATIVE EXPERIENCE EXAMPLES:

- We assisted a multi-hospital health system in redefining its HIPAA structure to better align with its current health care delivery models, various EHRs, outsourced HIM functions and newly imposed regulatory obligations of Information blocking. As a component of the project the health system implemented enterprise standard policies regarding medical record privacy.
- We have assisted multiple health system clients that have specific behavioral/mental health departments assess information systems to address regulatory compliance with Part 2 (SUD regulations) and more stringent state laws governing the confidentiality of mental/behavioral health information.
- We have assisted clients in evaluating the benefits of HIPAA hybrid entity status with respect to organization HIT policies and procedures, in order to carve out activities not subject to HIPAA's requirements, segregate data and implement specific procedures for unique service lines (occupational health, wellness programming, community benefit initiatives, etc.).
- We have assisted multiple clients, including children's hospitals, in evaluating information access rights for parents and guardians and implementing policies and procedures to ensure compliance with respect to patient portals and proxy access.
- We are assisting a multi-hospital system with the development of policies and procedures for the handling of data maintained by the health system's clinical operations, accountable care organizations and non-clinical business operations. These services include reviewing the intercompany agreements for the ACOs and other operations to determine appropriate uses and disclosures of data from the distinct operations and creating rules and approaches to review data uses across these business operations.

ALTERNATIVE FEE ARRANGEMENTS

Hall Render's Information and Data Governance team has developed an information blocking toolkit, as well as model policies and procedures that can be modified on a client by client basis for a fixed fee. If you are interested in purchasing the Information Blocking Toolkit, please contact mbatt@hallrender.com.



RESULTS

Clients that work with Hall Render's Information and Data Governance team can expect to see data governance approaches that enable more efficient and compliant handling of data, including a clearer ability to utilize and commercialize data.

LET'S GET STARTED

Contact Hall Render to discuss how your organization can benefit from collaborative support by our health care attorneys and advisors.

