

Balancing benefit and risk

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Clinical benefits of NHIN

- Patient gets test from another MD, or Rx from another MD
- Patient hospitalized, outpatient records not available
 - Compare previous EKG
 - What medications were previously tried?

Clinical benefits of NHIN

- **Sensitive conditions like depression**
 - What other medications were tried?
 - What doses?

Clinical benefits of NHIN

- **Greater if**
 - More information included
 - Timely access by providers
 - More providers participate
 - More patients participate
- **Electronic records often a condition of care**

Risk to privacy and confidentiality

- **Greater if**
 - More information included
 - Timely access by providers
 - More providers participate
 - More patients participate
- **No control over information**

Balancing benefit and risk

- **As scope of NHIN increases**
 - Usefulness for patients greater
 - Risk of breaches of confidentiality greater

Limits on access to PHI

- **Limit what is placed in NHIN**
 - Needs to be informed choice
 - Benefits are poorly understood?
 - Giving information does not ensure comprehension

Limits on access to PHI

- **Limit what is placed in NHIN**
 - Different viewpoint when consumer or patient
 - Cannot quickly include information when needed clinically

Limits on access to PHI

- **Limit who has access to NHIN**
 - Access be easily changed
 - Allow surrogate to expand access

Protection of privacy and confidentiality

- **Strengthen penalties, to provide incentives for security**
 - Responsibility for subcontractors
- **Opt-in for advertising**
 - Currently not even opt outs
 - Broaden definition of advertising/marketing

Protection of privacy and confidentiality

- **First focus on uses for treatment**
 - Other uses are secondary to patients
 - Need to demonstrate both effectiveness and safety