



Giant Food LLC– In Store Nutritionist: Referral Pilot

June 2020

The Clinical Advisory Committee asked CRISP to work with health care providers and public health authorities to improve the ability for healthcare providers to make referrals to appropriate social service and prevention programs, including nutritional prevention services. *The Giant Food LLC (the “Organization”) Nutritionist program (the “Program”) integrates professional nutritional expertise with evidence-based public health programs to improve health outcomes for patients at all levels of risk for chronic disease, from persons at risk for diabetes, heart disease, other cardiovascular disease, osteoporosis, and obesity. Innovations in the use of health information technology and development of communities of practice will bring together stakeholders in nutritional care with a shared goal of reducing the burden these types of chronic diseases have in underserved areas.* CRISP and the Program are collaborating to implement the model described below. This referral pilot is permitted in accordance with HIPAA and CRISP Permitted Purpose: treatment of individuals. While the Organization is not a HIPAA covered entity, the Organization is able to receive PHI as a part of a referral from a provider without patient authorization under HIPAA rules permitting disclosures for treatment purposes (including the coordination of health care by a health care provider with a third party),^[1] as clarified by the Office for Civil Rights in an FAQ.¹

- 1) Primary Care providers who are CRISP participants and partners in the Program, will use CRISP tools to make referrals to a Giant Nutritionist for patients assessed as in need of this intervention. These providers will login to CRISP’s Unified Landing Page and use the Referral tab to complete a referral form. Referrals will contain only the minimum necessary amount of patient information to support the referral. Providers will record patient consent for the referral to the nutrition program on the form. Providers will also keep a record of the referral in their patient record.
- 2) CRISP will route the referral to the Program chosen by the primary care provider. The referral will be routed to the nutrition programs direct email address, which will be provided by CRISP.
- 3) The Program will outreach to the patients who have been referred to them. Patients will be enrolled in the Program through a formal process.
- 4) The Giant Food Nutritionist will ensure that patients have been educated about who will have access to their information to facilitate the referral. A process for patient education will be implemented that ensures that patients understand that the Giant Food Nutritionist and the referred program will have access to their information through the referral and if applicable, follow-up process. The patient must be provided an opportunity The Program to opt-out of their information being included

^[1] 45 C.F.R. § 164.506.

^[2] <https://www.hhs.gov/hipaa/for-professionals/faq/3008/does-hipaa-permit-health-care-providers-share-phi-individual-mental-illness-third-party-not-health-care-provider-continuity-care-purposes/index.html>.



on the panel submitted to CRISP. Part of the patient enrollment notification includes the following language (provided by CRISP):

We have chosen to participate in Chesapeake Regional Information System for our Patients (CRISP), the state-designated health information exchange for Maryland. As permitted by law, your information will be shared with this exchange to provide faster access, better coordination of care, and improved knowledge for providers. You may choose to not have your information shared with CRISP. In addition, you may "opt-out" and disable all access to your health information available through CRISP by calling 1-877-952-7477 or completing and submitting an Opt-Out form to CRISP by mail, fax, or through their website at www.crisphealth.org. Public Health reporting and Controlled Dangerous Substances information, as part of the Maryland Prescription Drug Monitoring Program (PDMP), is available on behalf of all patients to providers by law.

- 5) The Program will capture program participation and all patient information weekly and will enter it into an excel file panel template. The Giant Food Nutritionist will populate the CRISP provided template with the required information to close the referral loop. The Giant Food Nutritionist will submit a panel of patients to CRISP each week excluding any patients who have opt-out of their data being shared via CRISP. The panel will indicate whether patients are active or inactive in the Program. CRISP will use the panel information to create a care alert notifying the primary care provider of the patient status in a nutrition program.
- 6) CRISP will display the relationship between enrolled patients and the Program in the Snapshot tab.
- 7) Participation in this referral project does not enable the Program to access CRISP services or otherwise receive, view or use patient data available through CRISP tools. These abilities are reserved for CRISP participants who must be a health care provider or their business associate.
- 8) The Organization and CRISP will execute an MOU outlining the terms of service and how patient data must be handled and stored.

CRISP will conduct this pilot from August 2020 through December 2020 with the intention of aggregating feedback and providing an update to the Clinical Committee at the meeting that follows the end of the pilot program 2021. CRISP will immediately cancel the pilot if potential security or patient privacy concerns arise, or if the Organization does not want to continue for any reason.

CRISP

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By: **Brandon Neiswender**

Date: **07/16/2020**

Giant Food LLC

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Date: **7/11/2020**

Attachment A: Giant Food Nutritionist Workflow 2020; 1-page diagram

