



## SENSITIVE HEALTH INFORMATION AND HEALTH INFORMATION EXCHANGES (HIEs)

### CONSUMER FAQs

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## General

### 1. WHAT IS CRISP AND HOW DOES CRISP GET MY INFORMATION?

CRISP is the designated Health Information Exchange (HIE) in Maryland. An HIE is a way of instantly sharing health information among doctors' offices, hospitals, labs, radiology centers, and other healthcare organizations. CRISP allows providers and organizations coordinating your care to view your medical history. For example, providers can review recent lab results or see information about your recent hospital encounters through CRISP tools. CRISP sharing information allows organizations to provide safer, more timely, and efficient patient-centered care. Security of all your health information is our top priority at CRISP.

CRISP securely connects to all Maryland hospitals and most other health care providers. These organizations decide what patient information they share with other providers through CRISP. Some organizations do not share any information and use CRISP to view information shared by other providers. All Maryland hospitals share basic health information about their patients, such as when they have been admitted or discharged. Hospitals and other health care providers decide what additional types of information they share, such as lab results or hospital paperwork. CRISP also shows your providers when other providers have signed up to be alerted about your hospital visits.

Doctors or other health care providers with a patient treatment relationship with you can search CRISP to view your health information. These Providers may also sign up to receive notifications when you visit a hospital. CRISP also shares information for purposes of care coordination and quality improvement of health services. If someone does not have a treatment relationship with you or another reason to legitimately access your data under state and federal law, is not permitted to access your data.

CRISP may not have all your health information because some providers may not yet share any information or only share partial data with CRISP.

CRISP also provides some information to public health authorities, if a law says that the authority can have that data for public health purposes. For example, some diseases and conditions are reportable to public health authorities under law so that these authorities can stop the spread of the disease.

### 2. WHAT KINDS OF INFORMATION DOES CRISP HAVE ABOUT ME?



Healthcare providers will share information about you through CRISP that they believe is vital knowledge for your other healthcare providers. CRISP may have access to Health Records from your doctors, hospitals, and pharmacies that you have visited. Providers may share your test results, radiology images, notes, or other information related to your care. They may also share a summary containing critical health information.

CRISP connects to all 48 hospitals in Maryland and shares hospital information such as discharge paperwork and labs with your other providers. Certain legally health sensitive information, such as addiction treatment details, can only be shared with your written consent.

If your healthcare provider shares information with or views information in CRISP, they must inform you through their Notice of Privacy Practices; a document you receive upon appointment check-ins.

### 3. HOW IS THE INFORMATION CRISP HAS ABOUT ME USED? WITH WHOM DOES CRISP SHARE MY INFORMATION?

CRISP follows all federal and state laws and will only share your data for the following purposes: healthcare treatment, care coordination, quality improvement, public health, and research. CRISP does not share any of your information for payment or marketing purposes.

CRISP only allows providers to use healthcare information the CRISP Clinical Advisory Committee believes will help improve health.

Importantly, CRISP can only facilitate the exchange of information if that organization would be allowed to ask for and receive it under applicable law. **CRISP does not allow for greater access to data.** Instead, **it enables what is already allowed but does so in a way that lets your clinicians exchange health information more quickly and effectively.**

### 4. DOES CRISP SHARE MY INFORMATION WITH LAW ENFORCEMENT?

CRISP does not share your information with law enforcement unless legally compelled to do so by a court action, meaning that a judge would have to require CRISP to provide data after legal proceedings. CRISP actively works to ensure your information is kept private and will work within the court system to do everything in its power to keep your information private.

### 5. WHAT DOES CRISP DO TO KEEP MY INFORMATION SAFE?

CRISP follows all state and federal privacy laws. Also, any provider that uses CRISP agrees to keep your data safe and not share it with anyone not allowed to see it. Additionally, anyone accessing your data agrees to follow state and federal laws. [The Health Insurance Portability and Accountability Act \(HIPAA\)](#) is the primary law governing health data sharing.

[The CDC also provides more information about HIPAA at this link.](#)

Keeping patient data safe is a CRISP priority. CRISP uses advanced security measures to keep your Healthcare data private and secure. These measures include consistent system checks, state-of-the-art monitoring tools, routine technology penetration testing, and next-generation audit capabilities. Additionally, CRISP relies on an advisory board composed of industry experts and



patients to help shape our privacy and security programs. Our secure technology and advisory board shape CRISP programs and policies to keep your data safe and only seen by appropriate individuals to improve your care. CRISP is routinely audited and certified to the highest standards of health security.

## 6. DOES CRISP SHARED MY INFORMATION OUTSIDE OF MARYLAND?

Yes. CRISP partners with other regional and national health exchanges. Doctors in bordering states, who have a treatment relationship with you, may view your information through CRISP. CRISP interstate sharing of data allows providers to access your health information if you receive care across states. Interstate sharing is vital in the case of an emergency where you might not be able to tell providers your medical history.

## 7. WHAT ARE THE BENEFITS OF HAVING MY INFORMATION SHARED THROUGH CRISP?

A Health Information Exchange (HIE) may help doctors, hospitals, and other health care providers and authorized users provide faster, better, more coordinated care. CRISP offers rapid access to your health data safely. One example of CRISP utility is if you were in an emergency room and unable to answer questions. In this situation, the doctor or nurse could check CRISP to ensure you did not have allergies or medical conditions that would affect your treatment.

An HIE may also lower health care costs by helping to prevent repeated tests because your doctors can check CRISP to see results from previous tests or labs. Data that CRISP provides to public health authorities can also be used to stop the spread of infectious diseases and prevent or mitigate future pandemics.

## 8. WHAT ARE THE RISKS OF HAVING MY INFORMATION SHARED THROUGH CRISP?

CRISP works hard to protect all your information and ensure that only authorized health care providers can see your records. There are some risks to participating with CRISP. Although rare, data could be mistakenly shared with someone who was not supposed to see it. CRISP uses many security and audit measures to ensure this does not happen. If an unauthorized person accesses your information, we will tell your doctor, and they will notify you of what happened.

Importantly, CRISP can only facilitate the exchange of information if that organization would be allowed to ask for and receive it under applicable law. **CRISP does not allow for greater access to data.** Instead, **it enables what is already allowed, but does so in a way that lets your clinicians exchange health information more quickly and effectively.**

## 9. WHAT ARE THE RISKS OF NOT HAVING MY INFORMATION SHARED THROUGH CRISP?

If you decide to opt-out of CRISP, your information may not be available to other clinicians in real-time, which could impact your care. For example, in an emergency, your prior health history or medication history may not be readily available, which could impact your ultimate health outcomes. In non-emergency situation, your clinicians would likely have to wait longer to receive your information from your other clinicians, and you may have to do more work to get paper records where they need to go.



## Opting Out of CRISP

### 1. HOW CAN I OPT OUT OF HAVING MY INFORMATION AVAILABLE THROUGH CRISP?

If you do NOT want CRISP to share your health information, you can opt-out [of CRISP](#) at any time. If you opt-out, doctors and nurses will not be able to search for your Health Records through the HIE, and your information will not be available in the event of an emergency. Your records will not be used for research or quality improvement. Any information your doctor may have seen in CRISP and entered into your medical record before you opted out will stay in your medical record with that doctor but will not be shared through CRISP to other clinicians.

You can also choose to opt-out of having your data used for research only. If you choose the “Research Only” opt-out option, your data will still be shared through the HIE for uses related to your clinical care, but it will not be available to researchers for approved clinical studies as part of the [CRISP Research Initiative](#).

Opting out of the CRISP HIE network is easy. You can do it three ways:

Submit the [online application](#).

Give us a call at [877-952-7477](#).

Mail us your [completed form](#) to:

[CRISP](#)

[7160 Columbia Gateway Drive, Suite 100](#)

[Columbia, MD 21046](#)

### 2. WHAT INFORMATION SHARING CAN I NOT OPT-OUT OF?

Certain laws require CRISP to keep and share some information even if you do opt-out.

Your doctors will still have the option to select CRISP to get your data sent directly to them from labs. Also, Maryland law does not allow you to opt-out of public health reporting, such as reporting specific diseases to public health officials. CRISP is required to make these reports even if you have opted out.

The Maryland Prescription Drug Monitoring Program (PDMP) is also required by law, so information about your prescriptions will still be shared on the CRISP HIE network even if you have opted out.

### 3. WHAT ARE THE RISKS OF OPTING OUT OF CRISP?

If you decide to opt-out of CRISP, your information may not be available to other clinicians in real-time, which could impact your care. For example, in an emergency, your prior health history or medication history may not be readily available, which could impact your ultimate health outcomes. In non-emergency situation, your clinicians would likely have to wait longer to receive your information from your other clinicians, and you may have to do more work to get paper records where they need to go.



#### 4. I DON'T WANT TO OPT OUT OF HAVING MY HEALTH INFORMATION AVAILABLE THROUGH CRISP, BUT I DO WANT TO KNOW WHO IS VIEWING MY INFORMATION. HOW CAN I FIND-OUT WHO HAS VIEWED OR RECEIVED MY INFORMATION THROUGH CRISP?

You can request a list of people who have viewed your healthcare information through CRISP. To make the request, use the [online form](#) or download the [PDF](#).

## Legally Sensitive Health Information

### 1. WHAT IS LEGALLY SENSITIVE HEALTH INFORMATION?

Most health data can be shared for treatment, payment, and operations purposes without your specific consent – simply by seeking treatment, you consent for that data to be shared. Some health data, however, is “super-protected” by either federal law or state or local law. Under some laws, different types of data require that you consent to that specific data being shared. This health information that is “super-protected” we are calling “legally sensitive health information.”

In Maryland, legally sensitive health information includes certain medical codes that indicate that someone has had an abortion and data that comes from doctors and clinicians that provide substance use disorder treatment.

### 2. WHAT HEALTH INFORMATION IS ROUTINELY SHARED WITHOUT MY SPECIFIC CONSENT?

Privacy laws allow data that is not legally sensitive health information to be shared with specific entities that are legally or contractually required to follow HIPAA for treatment, payment, and operations purposes. The type of health information that is shared for these purposes includes demographic information, – like your name, birthdate, and address -- your health history, including diagnosis, allergies, medication, and procedures, and the results of any tests. Some clinicians also include “social” information that is relevant to treatment, like whether patients need transportation to make it to their appointments or are unhoused.

### 3. HOW IS THE INFORMATION CRISP HAS ABOUT ME USED? WITH WHOM DOES CRISP SHARE MY INFORMATION?

CRISP follows all federal and state laws and will only share your data for the following purposes: healthcare treatment, care coordination, quality improvement, public health, and research. CRISP does not share any of your information for payment or marketing purposes.

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Importantly, CRISP can only facilitate the exchange of information if that organization would be allowed to ask for and receive it under applicable law. **CRISP does not allow for greater access to data.** Instead, **it enables what is already allowed, but does so in a way that lets your clinicians exchange health information more quickly and effectively.**



#### **4. IF I DO NOTHING, WILL CRISP SHARE LEGALLY SENSITIVE HEALTH INFORMATION?**

CRISP will only share your legally sensitive health information if you specifically consent to it being shared. To do so, you should work with your doctor or clinician to document the consent – which will require you to sign an authorization. Currently, if you consent to your legally sensitive data being shared through CRISP, it will be shared with anyone connected to CRISP that is legally authorized to receive the data. In the future, we may have the capability to consent to share with only one doctor or clinician or a type of doctors or clinicians.

#### **5. WHAT ARE THE RISKS OF NOT SHARING MY LEGALLY SENSITIVE HEALTH INFORMATION?**

If you do not provide specific consent for your legally sensitive health information to be shared, your information may not be available to other clinicians in real-time, which could impact your care. For example, in an emergency, your legally sensitive health information would not be readily available, which could impact your ultimate health outcomes. In non-emergency situation, your clinicians would not know the full extent of your health history, which could also impact outcomes and your overall care. You can disclose this legally sensitive health information individually to your providers, but that may not be possible in an emergency situation.

#### **6. HOW CAN I CONSENT TO SHARING LEGALLY SENSITIVE HEALTH INFORMATION FOR HEALTH CARE PURPOSES?**

Work with your doctor or clinician to document the consent – which will require you to sign an authorization.

#### **7. IF I CONSENT TO CRISP SHARING MY LEGALLY SENSITIVE HEALTH INFORMATION, DOES THAT CONSENT APPLY EVERYWHERE ELSE?**

Unfortunately, at this time, if you want to share your legally sensitive health information, you must provide written consent for each health information exchange. You can work with your doctor or clinician to understand where they exchange your data and who you should contact.

#### **8. DOES CRISP SHARE MY LEGALLY SENSITIVE HEALTH INFORMATION WITH LAW ENFORCEMENT?**

CRISP does not share your information with law enforcement unless legally compelled to do so by a court action, meaning that a judge would have to require CRISP to provide data after legal proceedings.. CRISP actively works to ensure your information is kept private and will work within the court system to do everything in its power to keep your information private.

#### **9. IF I DO NOT CONSENT TO SHARING MY LEGALLY SENSITIVE DATA, DOES THAT MEAN THAT IT CANNOT BE VIEWED OUT OF STATE?**

If you do not consent to sharing your legally sensitive data, CRISP will not share it out of state. However, because your health information is shared by other entities and other exchanges, you should check with your doctor and clinician to make sure the same is true for any other health exchanges they may use. For more information about how health exchange works across the country, view our National Networks FAQ [\[link\]](#).

#### **10. WHAT MORE CAN I DO TO SECURE MY DATA?**



Health information shared through CRISP is protected by federal and state law, including HIPAA. Once your health information is in your hands, it is no longer protected by HIPAA. If you share health care information through other sources, like applications (besides applications that are directly from your health care provider) on your phone, search engines, or other data that you send rather than your doctor or clinician, the data is *not* protected in the same way. If you do not want your health information to lose its HIPAA protections, you should avoid writing it in a search engine or email or text or application – unless you know that that service has agreed not to share your information *at all*.

Even if you decide disclosing this information is safe, make sure you are on a secure channel – for example, do NOT send this information on a public WiFi network if your privacy is important to you.

If you are concerned about how your clinician uses and exchanges your data – talk to them during an appointment. Tell them your concerns and talk the issues through with them. If a piece of data is sensitive to you, but not legally sensitive health information protected by an additional law, you can ask your clinician to flag it and not disclose it further – they might still disclose it, but they have to note your concern in their files and when they exchange the information.