# Report on Research Compliance Volume 20, Number 4. March 23, 2023
# ONC: HIPAA Doesn't Impede Sharing, Compliance With Info Blocking Rule

By Theresa Defino

When Micky Tripathi's mom was recently transferred to a rehab facility to recover from a broken hip, the hospital, "right in front of me...printed off her record, handed it to us, and the ambulance driver, for her to bring to the rehab hospital."

After the one-mile trip to the rehab—which Tripathi said is part of a larger health organization with a "very good and well-performing EHR" (electronic health record)—staff took the file and "scanned it into their EHR." Tripathi knew that a network linking the hospital and rehab was "running in the background" of the EHR. Not only is he up on local and regional network development, Tripathi also happens to be director of the HHS Office of the National Coordinator for Health Information Technology (ONC) and is deeply involved in launching a national network called the Trusted Exchange Framework and Common Agreement (TEFCA).

At both the hospital and rehab, "I was looking at them and saying, 'What? You guys are connected. You realize I know you are connected. This is my job. Why aren't you using that capability?'" The frontline staff seemed just as incredulous, with one replying, "I have no idea what you're talking about...there's an electronic system so we don't have to print this off and scan it? I would love that kind of system!" Tripathi recalled during a recent podcast with the American Hospital Association (AHA).[1]

His experience demonstrated "there's a huge gap between what's implemented by the system itself" and what the chief information officers know about "and what the frontline users know about and have access to and make a part of their day-to-day routine," Tripathi told Nancy Foster, AHA vice president for quality and patient safety policy.

TEFCA is being developed as Congress directed under the 21st Century Cures Act as a technical and governance model "to connect the existing networks with each other," Tripathi said, "so that a hospital user, a doctor, regardless of what network their EHR system" is on can connect "to every other network in the country in the same way that your cell phone connects to every other cell phone network."

It may not be long before health systems, including those with research components and other academic institutions, are more connected. On Feb. 13, HHS and ONC announced the first set of networks that will be part of the national network: CommonWell Health Alliance, eHealth Exchange, Epic TEFCA Interoperability Services, Health Gorilla, Kno2, and KONZA. All have committed to a "12-month go-live timeline."[2] Tripathi said the qualified health information network applicants "cover most U.S. hospitals, tens of thousands of providers, and process billions of annual transactions across all fifty states," Tripathi and another TEFCA official announced.