



FACT SHEET FOR PROVIDERS

HIE Opt-Out Requirements for Data Sharing Partners

Reviewing the New Regulations and What They Mean for Providers

The consent model for Rhode Island’s Health Information Exchange (HIE), CurrentCare®, is changing from an opt-in to an opt-out model. If a patient opts out, their healthcare providers will not be able to view or receive their information via CurrentCare, except in permitted situations outlined below.

The purpose of this document is to assist provider organizations in meeting the requirements of the existing RI HIE regulations ([R.I. Gen. Laws § 5-37.7-7](#)) and supporting their patients to understand their data-sharing options.

Providers who share data with the HIE are **required** to complete the following:

- Inform patients of their opt-out rights and options
- Manage complaints
- Handle record amendments
- Uphold professional standards

Learn more at CurrentCareRI.org (early 2025) or by calling 888-858-4815

NOTIFICATION OF PATIENT RIGHTS: 6.3.1 Participation in the Health Information Exchange (HIE)

Informing Patients of HIE Participation, Consent Options, and Opt-Out Rights

PROVIDER ACTION	SPECIFIC REGULATION
Providers must inform patients about their right to opt out of CurrentCare, offer discussions about consent options upon request, and use provided materials to educate patients on HIE participation and data-sharing choices.	6.3.1 (A)(2): Individuals shall be informed about the opportunity to opt out through provider participants and other publicly available means, and provider participants shall offer the opportunity to discuss HIE participation and consent options at the request of an individual patient. Individuals will be informed about the HIE through materials that explain the context and process of disclosure of health information through the HIE, including any and all choices available to the individual. The RHIO shall provide examples or templates of educational materials and any needed technical assistance to provider participants on patient education about the HIE.

Written Notification to Patients, Including HIE & Data-Sharing Details

PROVIDER ACTION	SPECIFIC REGULATION
Providers must inform patients in a written document that they have the opportunity to opt out of CurrentCare. This notice, which may be included in other privacy documents, shall include an explanation that their PHI may be disclosed to health providers, public health authorities and health plans.	6.3.1 (A)(3): When entering into a treating relationship with a provider participant or no later than six (6) months after a provider begins submitting records to the HIE, individuals will be clearly informed of their opportunity to opt out in a distinct written document, whether paper, electronic, or web-based. The notification may be contained within a document detailing other privacy practices, but the HIE shall be specifically discussed. The notification shall include an explanation that due to his or her provider's participation in the HIE, at a minimum, their protected health information may be disclosed to: <ul style="list-style-type: none"> a) Health care providers that care for them in emergencies, on a temporary basis; b) Public health authorities in the process of carrying out their functions, pursuant to R.I. Gen. Laws § 5-37.7-7(b)(2); and c) Health plans where information is necessary for care management, quality, and performance measure reporting.

60-Day Advance Notice of HIE Opt-Out Options

PROVIDER ACTION	SPECIFIC REGULATION
Providers must notify patients at least 60 days before CurrentCare opt-out policies take effect (anticipated April 2025). The notice should include details on HIE participation, sharing policies, and instructions on how to complete an opt-out form.	6.3.1 (A)(4): Individuals shall be notified by provider participants of their opportunity to opt out of participation in the HIE a minimum of sixty (60) days prior to opt-out policies going into effect ("go live"). This notification shall include all components specified in § 6.3.1(A)(3) of this Part, as well as clearly outline the methods available to complete an opt-out form as specified in § 6.5.1(A)(4) of this Part.



COMPLAINTS: 6.3.1 Participation in the Health Information Exchange (HIE)

Process for Patient Complaints and Escalation to RHIO Privacy Officer

PROVIDER ACTION	SPECIFIC REGULATION
Visit CurrentCareRI.org (early 2025) for more information.	<p>6.3.2 (A)(7): The RHIO shall maintain a process for reviewing and resolving complaints related to it, and to assist patient participants in resolving complaints.</p> <p>6.3.2 (A)(7)(E): Patient participants may lodge a complaint with the provider participant directly, with the RHIO or with the Department of Health. If a complaint is lodged directly with the RHIO and the RHIO refers the patient participant to the provider participant and the provider participant cannot directly resolve the complaint or believes the complaint is in error, the patient participant may then submit it to the RHIO Privacy Officer for review and assistance as requested by the patient participant.</p>

Complaint Process and Protections for Patients in the HIE

PROVIDER ACTION	SPECIFIC REGULATION
Visit CurrentCareRI.org (early 2025) for more information.	<p>6.3.1 (A)(7): The RHIO shall maintain a process for reviewing and resolving complaints related to it, and to assist patient participants in resolving complaints.</p> <ul style="list-style-type: none"> a) The RHIO and all provider participants will accept complaints pertaining to the RI HIE. Provider participants will forward complaints to the RHIO. c) Neither the RHIO nor provider participants will retaliate, discriminate against, intimidate, coerce or otherwise reprise patient participants or patient advocates relating to the filing of a complaint or for filing a complaint.

AMENDING RECORDS: 6.3.3 Special Requirements Pertaining to the Health Information Exchange (HIE) and the Rhode Island Regional Health Information Organization (RHIO)

Process for Amending Patient Health Information in the HIE

PROVIDER ACTION	SPECIFIC REGULATION
<p>RIQI will make a "Request to Amend Health Information" form available to patients to access from the RIQI website, by calling RIQI or by requesting the form in writing. RIQI will contact provider participants who will then have 60 days to forward updates to RIQI or give written denial reasons.</p> <p>Learn more at CurrentCareRI.org (early 2025).</p>	<p>6.3.3 (A)(2) In response to a request by a patient participant to make an amendment to his or her PHI contained in the HIE, the RHIO will provide the patient participant with a "Request to Amend Health Information" form to submit to the originating provider participant and if so, directed by the provider participant, will amend the record in accordance with HIPAA, the Act and this Part. The "Request to Amend Health Information" form shall be available from the RHIO website, by calling the RHIO, or by requesting the form in writing</p> <ul style="list-style-type: none"> a) As soon as possible, but no later than sixty (60) days after receipt of a request from a patient participant to amend health information, the provider participant shall either forward the corrected information to the RHIO for processing or notify the patient participant, in writing, why the request to amend health information has been denied.

PROFESSIONAL RESPONSIBILITIES: 6.3.5 Professional Responsibilities

Providers Cannot Deny Care Due to HIE Opt-Out

PROVIDER ACTION	SPECIFIC REGULATION
<p>Providers cannot abandon or deny care to patients solely for opting out of CurrentCare data-sharing if health information is accessible elsewhere. Violations may lead to Department of Health review.</p>	<p>6.3.5 In accordance with applicable State laws and Regulations promulgated thereunder, a provider participant that abandons a patient or denies treatment to a new or existing patient solely on the basis of the patient's decision to opt out of disclosures from the HIE, when the patient's health information can be obtained from other sources, may be subject to administrative review by the Department, including, but not limited to the Department's Professional Boards, and the Director. The processes contained in Practices and Procedures Before the Rhode Island Department of Health (Subchapter 05 Part 4 of this Chapter), and as otherwise permitted by the Administrative Procedures Act, shall apply.</p>