



## **Procedure #17**

# **CurrentCare Recourse for Violation of Data Sharing/Data Use Agreement Procedure**

### ***Purpose***

The purpose of the Recourse for Violation of Data Sharing/Data Use Agreement Procedure is to outline the actions of RIQI when there is reason to believe that a breach of the Agreement has occurred or when RIQI has reason to believe that a Data Sharing Partner ("Partner") or a Data User ("User") has violated the Data Sharing Agreement or Data Use Agreement. The Procedure outlines the recourse or measures taken against Partners or Users, if the Partner or User violates or breaches the relevant Agreement.

### ***Scope***

This procedure applies to all departments and positions at all levels, including full-time, part-time, and temporary positions. This procedure also applies to all CurrentCare Data Sharing Partners and Data Users.

### ***Statement***

Pursuant to the Rhode Island Health Information Exchange Act of 2008, RIQI is required to enter into Data Sharing Agreements with Provider Participants which will disclose protected health information (PHI) to CurrentCare. In addition, RIQI must enter into Data Use Agreements with those health care providers and health plans who access PHI in CurrentCare with authorization from patients enrolled in CurrentCare.

In order to participate in CurrentCare, Data Sharing Partners and Data Users shall enter into a Data Sharing Partner and/or Data Use Agreement with RIQI regarding the responsibilities of participation in CurrentCare. A Partner or User may be an individual health care provider, a health care provider organization or a health plan that executes a Data Sharing Partner Agreement or Data Use Agreement. The responsibilities of Partners and Users are outlined in the Data Sharing Partner Agreement and Data Use Agreement.

If a Partner or User who has executed an Agreement with RIQI breaches the Agreement, RIQI will determine, after a careful review of the facts presented, whether or not the breach of the Agreement requires immediate termination or is appropriate to give the Partner or User an opportunity to cure the breach of the Agreement.



## ***Compliance***

Any violation of this procedure will subject the employee to disciplinary action or immediate discharge. Any RIQI employee having knowledge of any violation of the procedure shall promptly report such violation to Human Resources.

Version	Effective Date	Statement of Change
01	January 28, 2010	Original document
02	November 29, 2012	Format change
03	March 20, 2014	Revisions to Purpose and Policy Statement
04	May2017	Revised to comply with HIE Act amendments