

## Session Handout # 603

### Confidentiality Laws and Coordinated Care

#### Avoiding Legal Hazards in an Era of Big Data and Rapid Care Integration

#### I. Introduction:

- A. Topic description:
- B. Learning outcomes -- Session attendees will gain:
  1. An understanding of the drivers of coordinated care and why CMHCs should pursue these opportunities.
  2. An understanding of legal restrictions on behavioral health information placed by HIPAA, State Laws, 42 CFR Part 2.
  3. An understanding of practical solutions to coordinating care while remaining in compliance with legal restrictions.

#### II. Drivers of Coordinated Care:

- A. Value-based funding.
- B. Population health management.
- C. Growing recognition of the value of behavioral health interventions in addressing social challenges such as healthcare costs, suicide, gun violence, homelessness, and alcohol/drug addiction.

#### III. Legal Restrictions (The sources of these and how they mandate different treatment for disclosure of behavioral health conditions):

- A. HIPAA, State Laws.
- B. 42 CFR Part 2.

#### IV. New Care Coordination Opportunities and Demands (Current care coordination initiatives in Colorado that CMHCs are participating in):

- A. Integration with primary care
- B. Co-responders programs
- C. HIE interoperability
- D. Restoration of competency
- E. Payer cost reduction efforts

#### V. Strategies for Addressing the Challenge:

- A. Practical solutions to coordinating care while remaining in compliance with legal restrictions.
- B. Talking points and other communication strategies for working with community partners who lack understanding of these restrictions (Participant Created).