

HEALTH INFORMATION EXCHANGE POLICIES

Policy: Governance and Policies

Number: 3

Applicability: JHC Personnel Only

Effective: 9/23/2013

Policy:

Jersey Health Connect maintains defined roles and responsibilities of the governing body for Jersey Health Connect, and requires the development of policies that guide and establish parameters for the activities of Jersey Health Connect, its Participants and Authorized Users.

Procedure:

1) Board of Trustees

- a) **Composition and Membership.** Jersey Health Connect shall establish and maintain a Board of Trustees (the “Board”) as described in and in accordance with the Jersey Health Connect By-laws.
- b) **Responsibilities.** The Board shall make all decisions as necessary to further the goals and mission of Jersey Health Connect and its Participants, as set forth in the JHC By-laws.
- c) **Authority.**
 - i) The Board shall have the authority to manage and oversee JHC in accordance with the By-laws, the Jersey Health Connect HIE Policies and applicable written agreements.
 - ii) Board decisions and determinations with regard to Jersey Health Connect matters are binding on all Participants and Authorized Users.
 - iii) The Board shall have the authority to:
 - (1) Develop, adopt, review, revise, update and implement the HIE Policies;
 - (2) Select and negotiate technology vendors for JHC operations;
 - (3) Determine and Implement Fees and Charges;
 - (4) Approve and Terminate Participants;
 - (5) Enforce and Sanction; and
 - (6) Such other functions as the Board determines to be appropriate and necessary to further the goals and mission of Jersey Health Connect.

- 2) Committees. The Board may establish such committees or subcommittees and other task groups as it determines in its discretion to be beneficial or necessary to further JHC's goals and mission.
- 3) HIE Policies.
 - a) Jersey Health Connect shall develop, maintain and update HIE Policies to guide and establish parameters for the activities of Jersey Health Connect, its Participants and Authorized Users.
 - b) The Jersey Health Connect Board shall determine the best manner in which to develop the HIE Policies, which may include utilizing Committees and Task Groups, in its description. The Board may amend, repeal and replace the HIE Policies at any time as the JHC Board reasonably determines is necessary or appropriate.
 - c) Participants shall be notified prior to the implementation of any change to the HIE Policies that is "material". A change to the Jersey Health Connect HIE Policies will be considered "material" if the JHC Board reasonably determines that such change will: (i) have a significant adverse financial or operational impact on a majority of the Participants (*which shall mean, at least sixty-five percent (65%) of all Participants that are "live" and actively engaging in HIE directly through JHC at the time of the proposed change*) that are directly and demonstrably related to the Participants' use of the JHC network and would not have been experienced by the majority of Participants absent the change; (ii) require a majority of Participants to materially modify their existing agreements with their Authorized Users or third parties; and/or (iii) require an amendment to the Participation Agreement.
 - d) Any change the JHC Board determines to be not material will be deemed "non-material". Non-material amendments of the Jersey Health Connect HIE Policies may be made in the sole discretion of the Board and without notice.
 - e) If a change to the Jersey Health Connect HIE Policies is required in order for JHC and/or its Participants to comply with changes in law, the Board may implement the change within a shorter period of time and without notice to Participants as the Board determines, in its sole discretion, to be appropriate and reasonable under the circumstances. In such cases, notice will be provided as soon as practical under the circumstances.
 - f) The Jersey Health Connect HIE Policies shall be reviewed from time to time to assess if updates or amendments are needed in order to better align such policies with the goals and mission of Jersey Health Connect. In no case shall the HIE Policies be reviewed less frequently than annually from the date of initial adoption.

- g) A copy of the most recently-adopted version of the HIE Policies shall be made available to JHC Participants either by e-mail copy, hard copy or through the JHC website.

Revision History:

3/12/2012 New Policy

9/13/2013 Revised Effective 9/23/2013