

# Federal Mandate Requires Electronic Release of Clinical Notes and Test Results to Patients

## Know

Earlier this year, the Office of the National Coordinator (ONC) for Health Information Technology announced the [final rule](#) of the 2016 Cures Act. The new federal regulation acknowledges the important role patients play on their care teams by requiring healthcare providers to electronically release most clinical notes and test results to patients by this fall.

Patients have long had the right to access their health information through requests to Health Information Management (HIM). What changes is that **clinical notes and test results will be released electronically and immediately in most cases.**

Sutter Health will go live on OpenNotes and Results Release on Oct. 29 in all care sites, including ambulatory, acute care and other settings. **All healthcare professionals will be affected, including nurses, ancillary staff, advanced practice clinicians and physicians.** Released data pertains to patient medications, allergies, demographics, and care team members, eight types of clinical notes, assessment and plan of treatment, vital signs and lab results. There are limited and clear [exceptions](#) for notes that can be blocked.

We recognize this may represent a big change for healthcare providers so a Sutter-wide project team has developed an [OpenNotes and Results Release Resource Page](#) that includes tools to help you prepare for this change, including a Frequently Asked Questions document and a tip sheet on the new note-sharing button available in Sutter EHR as of Oct. 1. Patient education materials are also in development.

We want nurses and ancillary staff to know the following key facts, and encourage all to visit the Resource Page for more information:

- The eight types of clinical notes that must be shared include:
  1. Consultation notes (e.g., inpatient and ambulatory physician consults, PT/OT/ST consult, Dietary consult)
  2. Discharge summary notes (e.g., inpatient discharge summary, transfer summary)
  3. History & physical notes (e.g., annual, surgical or admission H&P)
  4. Imaging narratives (e.g., results of radiology or cardiology imaging, ECG report)
  5. Laboratory report narratives (e.g., lab results except for restricted labs [see below])
  6. Pathology report narratives (e.g., non-malignant pathology)
  7. Procedure notes (e.g., line placement, circumcision, surgical and operative procedures)
  8. Progress notes (e.g., ambulatory visit, telemedicine visit, telephone encounters, inpatient progress, Emergency Department visit, RT progress note, care team notes)
- The first and last name of the healthcare professional and the type of provider, such as nurse, therapist, etc., will be displayed with the notes that are shared within My Health Online.
- Progress notes authored by nursing and ancillary staff (including therapists, dietitians, social workers and case managers) will be shared in MHO. The new regulation does not limit electronic access to specific authors.

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## Do

1. Review the resources on the [Open Notes and Results Release Resource Page](#), including a FAQ and Tip Sheet on the new note-sharing button and SmartPhrase that is now available on Sutter EHR.
2. For maximum visibility and awareness, please share this information with your teams in huddles, DES boards and in-person meetings so they are prepared for this change that takes effect Oct. 29.
3. Become familiar with the [exceptions](#) for note release, as defined by the final rule of the Cures Act.
4. Historical and prospective notes will be shared on Oct. 29. **Starting on Oct. 1**, if a healthcare team member elects to block a note due to an exception, they must unselect the “Share w/ Patient” button and add the exception from the drop-down menu. For more detailed instructions, please refer to the EHR Tip Sheet: “Note Sharing Button and Epic SmartPhrase” on the [Open Notes and Results Release Resource Page](#).
5. Please attend one of the virtual Q&A sessions scheduled for nurses and ancillary staff. Refer to the Staff Q&A Sessions document on the [Resource Page](#) for meeting details.

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## Share

Share with all care providers who document notes within Sutter EHR. We’ve developed a [Provider FAQ](#) to answer many questions about OpenNotes and Results Release. If you have questions, please email our project team at [clinicians@sutterhealth.org](mailto:clinicians@sutterhealth.org), and we’ll respond as quickly as possible.