

## OpenNotes and Results Release *For Patients with My Health Online Accounts*

Beginning Oct. 29, patients with My Health Online (MHO) accounts will receive inpatient and outpatient notes from their care teams, as well as test results. This is part of a new federal regulation that recognizes—as does Sutter Health—the important role patients play on their care teams.

Patients have long had the right to access their health information through requests to Health Information Management (HIM). What changes Oct. 29 is that clinical notes and test results will be released electronically through MHO, Sutter's patient portal. Sutter expects this more timely sharing of information to help patients get more involved in their care and strengthen relationships between patients and care teams.

### [ACCESS \(Self, External Providers, Family, Privacy\)](#)

#### 1. What is the 21<sup>st</sup> Century Cures Act?

This year, the Office of the National Coordinator for Healthcare Information Technology (ONC) announced a Final Rule to implement provisions of the 21st Century Cures Act. These rules require healthcare professionals to electronically release most clinical notes and test results by this fall. This means you will have easier access to information about your care including summary notes from your doctor, nurse or other healthcare professionals about your most recent visit. You will be able to see these notes and test results using a computer, smartphone or tablet. This new practice of sharing notes and test results is often referred to as OpenNotes.

#### 2. What is a note? What is Sutter Health changing about OpenNotes?

As part of a visit or any discussion with you, your healthcare provider writes a note summarizing the most important information discussed, such as details about symptoms, a description of the examination, an overview of relevant test results, and details about the diagnosis, treatment plan and next steps. The movement to make these notes available to patients began in 2010. This practice is called [OpenNotes](#). Studies have shown that patients like OpenNotes and report many health benefits.

Sutter Health will begin releasing notes and results systemwide via My Health Online (MHO) on Oct. 29, 2020. If you are not enrolled in MHO, we can assist you.

You have the right to keep your notes and results private. If you do not want any specific notes or results to be available in MHO, you can simply ask your care team not to release them. To learn more, click here: <https://www.healthit.gov/topic/information-blocking>

#### 3. How long will my record be available for?

Your records will be available to you for the foreseeable future within My Health Online (MHO), Sutter's patient portal. If are unable to access MHO, you may request copies of your records through our Health Information Management (HIM) departments, using this link: <https://www.sutterhealth.org/for-patients/request-medical-record>

#### 4. When will notes be released?

Notes will become available in MHO at the end of each visit with your care provider once they are signed by a healthcare professional.

#### 5. Will patients receive a notification on MHO every time a new note or test result is shared?

Patients will not receive any notification when new notes are available in their MHO account. Patients will receive notification for an After Visit Summary, new message or test result once per day for each type of notice.

#### 6. Can non-Sutter providers access my notes/results? Can my Sutter providers see notes from non-Sutter providers?

Doctors, nurses and other healthcare professionals providing care to you and who have access to Sutter's Electronic Health Record (EHR) can see your notes and results. Details care teams see in notes and results help to inform the care they provide.

Your notes and results are private to you. However, you can share your notes and results with other clinicians, family or friends as you see fit. On MHO, you can click on *Health Record* and then on *Share My Record* to see what sharing options are available to you. In a similar way, Sutter clinicians caring for you can see notes from non-Sutter providers by either being on the same EHR or by requesting access. To access MHO, [click here](#).

#### 7. Who can I designate to have access to my notes? Can multiple care givers be granted access?

Your notes and results are private to you. However, you can decide to share notes and results with clinicians, family or friends as you see fit. On MHO, you can click on *Health Record* and then on *Share My Record* to see what sharing options are available to you. If you want someone (a family member or caregiver, for example) to see your notes and results in MHO, you can grant that person proxy access. For more information about Proxy Access please [click here](#).

#### 8. What are the boundaries to access (privacy and legal protection, insurer access)? How will sensitive topics or care be protected (e.g. teen pregnancy, etc.)?

Doctors, nurses and other healthcare professionals providing care to you and who have access to the Sutter's Electronic Health Record (EHR) will have access to your notes and results. You have control to share notes and results with others as you see fit. You can request that your doctor or care provider keep the notes confidential at the time of your visit.

By California law, your clinician must talk to you before releasing results on the following conditions: HIV, Hepatitis antigens, pathology results, and the abuse of drugs.

In the case of a teen pregnancy, Sutter Health is obligated to protect adolescent confidentiality by California state law.

Teens 12 through 17 years of age can request access to their own medical records within MHO. As such, they will be able to see their notes and results. The proxy (parent/guardian) will not be able to view the teen's clinical notes within the proxy MHO account.

#### 9. How does an OpenNote affect confidentiality and privacy?

An OpenNote does not change the private relationship you have with your healthcare team. Only you, those you have granted proxy access (see below) and the care team involved in your care can access your note.

What does change is your ability to access, use and share your information. It is easier to share your medical information with a care partner, family member, or others if you choose. You are in control of who has access to your note, which means you are in control of your privacy.

To help ensure your privacy, please remember to:

- Keep your MHO login ID and password private; and
- Wherever you access your MHO account, be sure to exit by selecting “sign out” or “log out” when you are done.

For tips on making the most of open notes, [click here](#).

## 10. How does an OpenNote affect confidentiality and privacy for my child’s information?

Doctors, nurses and other healthcare professionals involved in your child’s care already have access to the information in their medical record. They operate under strict confidentiality rules, and an OpenNote does not change that relationship.

Parents and care partners can choose to share medical information with others involved in a child’s care. This can keep families, caregivers, and specialists informed and up to date on treatments and progress. This may be especially important for patients with multiple specialists.

To help ensure the privacy of your child’s health information, keep your MHO login name and password private, and whenever you look at your child’s health record, always remember to sign out.

## 11. How do I add or remove permission for someone else to view my notes from accessing my MHO account?

Sutter Health patients can give permission to another adult to access their medical information via the Internet. This service, called "Proxy Access," allows spouses, adult children and other home caregivers to more easily help the patient manage his or her health care needs. This can be helpful to you especially under emergency situations to receive the safest care that follows your wishes.

Proxy Access can be revoked at any time if the patient is over 18 years of age.

Proxy Access to a child’s records will automatically expire when the patient turns 18, unless the child chooses to extend **Teen** Proxy Access to **Young Adult** Proxy Access which then expires at age 26.

To learn more about Proxy Access, visit the Proxy Access FAQ [in MHO](#). And to learn even more about Managing Your Family’s health online, [click here](#).

## [CONTENT \(medical information available in MHO\)](#)

## 12. What’s new? How is a clinical note the same or different from the After Visit Summary?

For many years, patients have had the right to request clinician notes and results through a request to Health Information Management (HIM). What’s new is that effective Oct. 29, 2020, most clinical notes and results will be released **immediately** in electronic form in My Health Online. This practice is called “OpenNotes” and first began in 2010. For several years, many Sutter clinicians have released their notes to patients after visits. Clinical notes provide different information than what is included in an After Visit Summary (AVS). While the AVS contains a summary of a patient’s visit, including orders placed, instructions, etc., a clinical note provides a direct view of the clinical observations and assessment of your health written by the healthcare professional to document a patient visit. This includes virtual, phone and in-person visits. The new law will require **all** healthcare professionals to practice OpenNotes.

To learn more about OpenNotes, [click here](#).

### **13. What if I have questions about the information in my note?**

The best way to understand your notes and be certain everything is correct is to ask your care team to review notes with you at the end of your visit. If you have questions about your clinical note after the note is posted, write them down. You can send your question to your clinician's office by message through MHO or discuss them at your next appointment. You can also ask your doctor, nurse or other healthcare professional for websites or other resources that might help you better understand your note. For more information about how to make the most out of these notes, [click here](#).

### **14. What should I do if I think I may have found an inaccuracy in my note?**

If you find what you believe to be an inaccuracy or error in your clinical note that you believe should be corrected, please contact the Health Information Management (HIM) department by email at [S3ROIDept@sutterhealth.org](mailto:S3ROIDept@sutterhealth.org) or by calling Sutter Health Patient Services toll free at 1-855-398-1631, Option 3, to speak with an agent about requesting an amendment to your medical record. HIM will send you an official amendment form along with instructions on how to complete it and where to return it.

### **15. How will medication and other care lists be updated?**

With this law, there won't be a change in how medication and other lists of information in your medical records are updated. At office visits, your doctor or office staff may go over medications with you to make sure what is recorded in your health record is current. You can review your medication list under *Health Record* in MHO by navigating to *Medications/Prescription*. Your medication list may not be updated immediately at the time of your visit. You also have the ability to request medication renewals from your medication list in MHO.

### **16. Can actual clinical images, such as X-rays, CT scans, or ECGs, be viewed, or the reading results only?**

At this time, patients and their proxies can view their radiologist's analysis of their imaging studies.

We do not currently have the capabilities for patients to view clinical images online unless a provider has specifically copied and pasted an image into a note. Patients can request an electronic copy of imaging studies through local care centers.

### **17. Where can I find the diagnosis from my visit, and how can I learn more about it?**

If it's a diagnosis, you can look in MHO under *Health Record* and under *Current Health Issues*. There will be links to Medline Plus for more information about diagnoses. If you're looking for information from a recent office visit, you can go to *Health Record* and look under *Appointments and Visits*, where you'll find After Visit Summaries. As of Oct. 29, 2020, you'll also find newly released Clinician Notes next to After Visit Summaries.

### **18. Will I receive my results after my doctor has seen them?**

With the immediate release of results to your MHO account, it is possible that you will see a result before your provider or care team has had a chance to review it. Please wait for your provider or clinical team to contact you (typically 3-6 business days to discuss results.) If you have an urgent concern, you may contact your provider's office.

**19. How will I be notified when a new note or result becomes available?**

Patients will not receive any notification when new notes are available in their MHO account. Patients will receive notification for an After Visit Summary, new message or test result once per day for each type of notice.

**20. What will determine whether results are released into MHO to comply with the CURES Act?**

Results fall into two categories:

1. Normal and abnormal results that are immediately released to MHO. Normal (or negative) result means the disease or substance being tested was not found. An abnormal (or positive) result means a disease or substance was found.
2. By California law, the following can only be released after a healthcare professional has a discussion with the patient regarding the results:
  - o HIV antibody test results
  - o Positive tests for antigens indicating a hepatitis infection
  - o Abnormal drug screening tests that may suggest drug abuse
  - o The results of pathology and cytology tests, such as biopsies and pap smears, that may reveal a malignancy

**21. I can't see any of my notes or a specific note I expected to see. Why?**

If you don't see a specific clinical note, it is possible your provider did not complete or sign it yet. Both are required before notes can be released to MHO.

Additionally, there are specific reasons why your provider may elect not share a note. They are:

1. If a provider has concern that releasing a note would result in a harm to the life or physical safety of the patient or another person.
2. To respect privacy, meaning the patient (or proxy) has requested that the note not be displayed to MHO.

**22. Where can I read my child's notes?**

You can access your child's medical records (for children under 12) using MHO, Sutter's patient portal, or by requesting a copy through the department of Health Information Management (HIM) at this site <https://www.sutterhealth.org/for-patients/request-medical-record>.

By creating a secure, online account for a child on MHO, you can make appointments, communicate with the healthcare team and view portions of your child's health record, including clinical notes. If you don't have an MHO account, you can ask your clinician's office staff or the HIM Department for a copy.

Please remember that Sutter Health is obligated by California state law to protect adolescent confidentiality. Teens 12 through 17 years of age can request full access to their own medical records within MHO. As such, they will be able to see their notes and results. In order to protect the teen's privacy a designated proxy (parent/guardian) will not be able to view the teen's clinical notes within the proxy MHO account (unless the teen provided the password to the proxy).

For more information, click on this link: <https://www.opennotes.org/tools-resources/for-patients/pediatric-adolescents-patients/>

### **23. Will I see notes from all of my providers, or just certain parts of Sutter Health?**

You should see notes and results from all Sutter healthcare professionals providing direct care to you. Currently Home Health services, and some surgical hospitals use different electronic health record systems, and their clinical notes are not yet available through MHO. If you require access to these records, please contact that care center.

California sensitive results (HIV, Hepatitis antigens, pathology results, and abuse of drug results) will not be shared immediately but are available to be released at patient request. Please submit a request to your provider if you would like these electronically released to MHO.

Historical notes documented prior to 10/29 will not be immediately available within MHO; however you may request electronic access to these records through the HIM department here: <https://www.sutterhealth.org/for-patients/request-medical-record>

### **24. Can I search my notes by term, time period, clinician name, etc.?**

Not at this time. You can view After Visit Summaries and (after Oct. 29, 2020) notes in MHO by going to your Health Record and then Appointments and Visits. Your appointments will be separated by date. MHO does not currently provide a tool to search text across appointments and visits.

You do have the ability to sort past visits by provider, department, or specialty and the list will show up in chronological order. Each encounter will have an icon indicating whether or not there is an attached note.

### **25. I don't have an MHO account but want access to my medical record. What do I do?**

If you don't have an MHO account, there are three ways you can enroll. You can enroll online by accessing the MHO [home page here](#), by calling 1-866-978-8837 or by enrolling at your Sutter doctor's office.

If you don't have access to electronic devices, you can request your medical record through Health Information Management by calling the Sutter Patient Services Line toll-free at 1-855-398-1633, Option 3, and speak with an agent about requesting a copy of your medical records.

## **LANGUAGE (medical terminology, non-English preference)**

### **26. How can I learn what the meaning is of the medical terminology and abbreviations in my notes?**

Check out [medlineplus.gov](http://medlineplus.gov) for a list of common medical abbreviations and acronyms. You can also write down questions for your care team and share with them during your visit.

### **27. English is not my preferred language. Can I access translations of my notes in different languages?**

Not at this time.

## **ENGAGEMENT (patient and provider benefits and interaction)**

### **28. With this new federal requirement providing me greater access to clinical notes, where can I find information that will make me more familiar with OpenNotes and help me learn more about how to make the most of these notes?**

Go to <https://www.OpenNotes.org> and click on "For Patients" to see various tips and tools that can help you navigate through this change.

**29. Will my doctor adjust how they are writing notes during my visits because I will have access to them?**

Sutter Health is providing resources and education for healthcare professionals who request help in writing notes in a more personal, conversational and readable manner.