

WAUKESHA COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES
POLICY AND PROCEDURE

POLICY NUMBER: HHS 4402

TITLE: Vendor Access to Electronic Health Record

SCOPE/AREA: HHS
Division: Administrative Services, Adolescent and Family Services, Clinical Services
Location: All
Unit: All
Discipline: All

ORIGINATION DATE: 01/19/2023

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POLICY AUTHOR: Robert Greene, Compliance Liaison
Wade E. Woodworth, Compliance Program Coordinator

POLICY OWNER: Eve Altizer, Human Services Coordinator


POLICY APPROVER: Danielle Birdeau, Outpatient Services Administrator
Ron Pupp, Adolescent and Family Services Manager

COMMITTEE REVIEW: 00/00/0000 Executive Committee

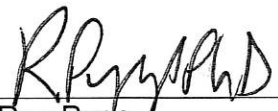
APPROVED BY:



Eve Altizer
Human Services Coordinator
Date 1/8/2024



Danielle Birdeau
Outpatient Services Administrator
Date 1/4/2024



Ron Pupp
Adolescent and Family Services Manager
Date 1/4/24

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I. PURPOSE

To provide and remove non-workforce member vendor access to the Waukesha County Department of Health and Human Services (WCDHHS) Electronic Health Record (EHR) system. WCDHHS will provide contracted vendors with limited and direct access to the EHRs of clients receiving services from the vendors. Vendors will be responsible for updating the EHR system with the appropriate documentation regarding the clients' conditions and the services they received. WCDHHS will have processes to onboard and offboard these vendors, as well as provide vendors necessary access to reports and other information.

II. DEFINITIONS

1. Business Associate – A natural person, trust or estate, partnership, corporation, professional association or corporation, or other entity, public or private, who on behalf of WCDHHS (and not in the capacity as a member of WCDHHS's workforce), creates, receives, maintains, or transmits PHI for legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation, and financial services. (45 CFR § 160.103).
2. Electronic Health Record (EHR) – Electronic protected health information (PHI) to the extent that it would be included in a designated record set as defined in 45 CFR § 164.501, regardless of whether the group of records are used or maintained by or for a covered entity. EHRs are housed within a dedicated application (Netsmart's myAvatar NX platform), designed to be the WCDHHS system of record for client data.
3. Electronic Protected Health Information (ePHI) – Any PHI that is transmitted by electronic media or maintained in electronic form. (45 CFR § 160.103).
4. Mental Health Professional – An individual with interpersonal skills training and experience needed to perform their assigned functions and provides psychosocial rehabilitation services in accord with the qualifications in Wis. Admin. Code § DHS 36.10(2)(g)1.–8.
5. Protected Health Information (PHI) – Individually identifiable health information that is received, created, maintained, or transmitted by WCDHHS; including demographic information that identifies a client, or provides a reasonable basis to believe the information can be used to identify a client, and relates to:
 - A. Past, present or future physical or mental health or condition of a client.
 - B. The provision of services to a client.
 - C. Past, present, or future payment for the provision of services to a client. (45 CFR § 160.103).
6. Qualified Service Organization – An individual or entity who provides services to a 42 CFR Part 2 program, such as data processing, bill collecting, dosage preparation, laboratory analyses, or legal, accounting, population health management, medical staffing, or other professional

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services, or services to prevent or treat child abuse or neglect, including training on nutrition and child care and individual and group therapy, and entered into a written agreement with a 42 CFR Part 2 program under which that individual or entity:

- A. Acknowledges that in receiving, storing, processing, or otherwise dealing with any patient records from the 42 CFR Part 2 program, it is fully bound by the regulations in 42 CFR Part 2.
 - B. If necessary, will resist in judicial proceedings any efforts to obtain access to patient identifying information related to substance use disorder diagnosis, treatment, or referral for treatment except as permitted by the regulations in 42 CFR § 2. (42 CFR § 2.11)
7. Vendor – An entity, including but not limited to individuals and sole proprietors and corporate entities that provide authorized services for clients receiving Comprehensive Community Services (CCS) and Community Recovery Services (CRS).

III. POLICY

- 1. Vendors must be onboarded and approved by WCDHHS' Administrative Services Fiscal Unit.
 - A. The CCS packet must be completed, including:
 - i. Vendor information and requested rates.
 - ii. IRS form W-9.
 - B. A service provider contract must be agreed on with the vendor and WCDHHS.
- 2. Vendors must be properly vetted. Individual providers, though their vendor organization if applicable, shall provide the following materials prior to receiving access:
 - A. Evidence of qualifications:
 - i. Resume and references
 - ii. Licenses/Certifications (if applicable)
 - iii. F-82064 or F-02565 Background Information Disclosure (BID)/Background Information Check form and results.
 - B. For CCS providers, evidence of meeting orientation training requirements per Wis. Admin. Code § DHS 36.12. The initial training documentation will be completed on the Vendor Orientation Form – CCS Orientation and Training Log (HHS 4402-C)
 - C. For CRS providers, evidence of meeting the orientation training requirements in DCTS Action Memo 2023-10.
- 3. Access to the WCDHHS' EHR system for vendors shall be only for the minimum necessary for the provision of treatment of WCDHHS' clients receiving authorized services from the vendor.
 - A. Access provided to vendors shall be on a client-by-client basis for the purpose of reviewing the client's health and treatment records

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- and providing direct updates to the client's EHR as business needs allow.
- B. Access to the EHR system and EHRs will be granted and revoked, contingent on the clients in the vendor's care receiving services from them and business needs.
- C. WCDHHS shall provide, where necessary, training to vendors on how to properly use WCDHHS' EHR system as part of its vendor onboarding.
- D. Access shall ensure that vendors update the EHR in a timely, accurate and complete manner with all necessary notes and other records to document and evidence the client's treatment.
 - i. Records provided for CCS shall follow all requirements in Wis. Admin. Code § DHS 36.18.
 - ii. Records provided for CRS shall follow all requirements in Forward Health's Online Portal and Handbook and those listed in Forward Health Updates 2010-94 and 2018-17 and DCTS Action Memo 2023-10.
 - iii. Records for Targeted Case Management (TCM) shall adhere to all requirements in Wis. Admin. Code § DHS 107.32.
- E. Authorizations for individual clients to receive services from a vendor shall be set to expire after a pre-determined timeframe, limited to no more than the necessary time for a vendor to provide a client the required services.
- 4. Vendors may be granted limited access to WCDHHS' SharePoint platform in conjunction with access to the EHR system to receive reports and other files as business needs require.
- 5. All vendors, in being granted access to the EHR system and other WCDHHS systems and platforms, shall do the following:
 - A. Sign the Waukesha County Provider Avatar Access Agreement (HHS 4402-A) which affirms:
 - i. Proper and professional conduct for accessing and using WCDHHS' systems and platforms.
 - ii. Affirms knowledge of and adherence to laws and regulations governing client privacy.
 - B. Vendors must establish a contractual provider relationship with WCDHHS and meet all necessary standards.
 - i. Adherence to general contract provisions for Waukesha County and WCDHHS.
 - ii. This includes a business associate agreement (BAA) and/or qualified service organization agreement (QSOA) as applicable.

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- iii. The vendor possesses and maintains all licenses, certifications, and/or qualifications appropriate for the services they provide and specified in the service provider agreement.
 - C. The contracts and individual agreements will make clear the personal and organizational obligations not to re-release client records.
 - D. All vendors must exercise reasonable care to keep their operating systems and web browsers up to date.
- 6. All vendor access, including traffic in and out of WCDHHS' systems and specific pages accessed within the EHR system shall be monitored to ensure adherence to business needs and to ensure the security and integrity of client records and WCDHHS' systems and platforms.
- 7. Vendor access will be conditioned on business and client needs and will require the maintenance and provision of supervision and training logs.
 - A. For CCS staff, the following shall be logged for supervision:
 - i. Members qualified under Wis. Admin. Code § DHS 36.10(2)(g)9.–22. Shall, per Wis. Admin. Code § DHS 36.11(2), receive at least one hour of supervision and consultation from a mental health professional per week or for every 30 clock hours of face-to-face or face-to-face equivalent psychosocial rehabilitation or service facilitation.
 - ii. Members qualified under Wis. Admin. Code § DHS 36.10(2)(g)1.–8. Shall, per Wis. Admin. Code § DHS 36.11(3), will participate in at least one hour of supervision or clinical collaboration per week or for every 120 clock hours of face-to-face or face-to-face equivalent psychosocial rehabilitation or service facilitation.
 - iii. Day-to-day consultations shall be available during CCS hours of operation.
 - B. In accordance with Wis. Admin. Code § DHS 36.12(1)(c) and DCTS Action Memo 2023-10, for CCS and CRS staff respectively, a yearly training log shall document 8 hours of provider-relevant continuing education.
- 8. Vendors must notify WCDHHS as soon as possible when individuals under their employ or control no longer need access to the EHR system and SharePoint due to changes in employment, duties, an extended absence, or any other cause. This must be done no later than 24 business hours after the change in an individual's status.
 - A. If vendors expected or known in advance that individuals under the employ or control no longer need access to WCDHHS systems, the vendor shall notify WCDHHS five (5) business days in advance.
 - B. As soon as vendor knows or can reasonably anticipate an individual under its employ will be out for an extended absence of 90 calendar

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days or more, the vendor will email the known or anticipated absence start date to CCSCRsvendorrelations@waukeshacounty.gov, so the individual's absence access may be suspended. The vendor will email CCSCRsvendorrelations@waukeshacounty.gov once the individual is able to resume providing services to restore access. If WCDHHS does not have notification, access may be deactivated after 120 calendar days of inactivity.

- C. To terminate access to the EHR, the vendor must complete the Vendor Staff Offboarding form.
 - D. In the event of misconduct, termination, or unexpected discharge of an individual, the vendor will call the IT Helpdesk to terminate access immediately.
 - E. Vendor supervisors will ensure finalization of any outstanding notes, supervision logs, and training logs.
 - F. Designated WCDHHS workforce members will remove provider credentialing file from SharePoint and put in an archived file for future access and record retention.
9. If a vendor's business relationship with WCDHHS concludes, a WCDHHS workforce member shall immediately notify BAS to appropriately terminate access to all individuals under that provider's subsystem code and terminate their SharePoint access.

IV. PROCEDURE

- 1. Prior to onboarding, CCS providers must upload all of the following into the WCDHHS' SharePoint site for CCS/CRS Credentialing.
 - A. Vendor will create a provider folder under its name in the Employee Credentialing section.
 - B. The provider will upload for each of its employees:
 - i. Current Resume
 - ii. F-82064 Background Information and Disclosure (BID) and Results
 - iii. References/2 Reference Checks for Employees
 - iv. Licensee and/or Certification (if applicable)
 - v. CCS Provider Training Orientation.
 - a. At least 40 hours of documented orientation training within 3 months of beginning employment for each staff member who has less than 6 months experience providing psychosocial rehabilitation services to children or adults with mental disorders or substance-use disorders; OR
 - b. At least 20 hours of documented orientation training within 3 months of beginning employment with the CCS

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- for each staff member who has 6 months or more experience providing psychosocial rehabilitation services to children or adults with mental disorders or substance-use disorders.
- vi. Waukesha County will review resumes/years of experiences to determine the 20 or 40 hours.
 - vii. Waukesha County will send the employee the training materials, but vendor will pay the staff for the training time, which is not reimbursable.
 - viii. During vendor training, the vendor will be responsible for filling out, signing, and returning to WCDHHS forms HHS 4402-A and HHS 4402-C.
2. Access to the EHR System, myAvatar NX, shall be set up in myAvatar NX Live.
- A. Vendors will need to complete a Vendor Staff Enrollment Form at <https://www.waukeshacounty.gov/HealthAndHumanServices/CCSVendorResources/StaffOnboarding>.
 - B. Each service provider will be given a link to the myAvatar NX login page at <https://waukeshanx.netsmartcloud.com/#/home> and provided the following:
 - i. Login
 - ii. Password
 - iii. System Code
3. Access will be granted to vendors using guest accounts.
4. Individual vendor access to client data will be determined based on subsystem codes.
- A. Once needed services are determined for individual clients, a vendor referral for services will be sent to a vendor capable of providing the needed services.
 - i. Once the referral is completed, it will be emailed securely to the vendor.
 - ii. If the vendor accepts, a mental health professional must approve, and if approved, enter a service authorization for the vendor.
 - iii. The client is added to the vendor caseload and assigned the appropriate subsystem code.
 - iv. WCDHHS will complete the process by adding the vendor information to the client's individual service plan (ISP) and psychosocial recovery plan.
 - B. Access monitoring will aid in ensuring third party providers who work with multiple vendors and client bases only access, use, or update client information on an as business needs require basis.

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5. Vendor access to reports, such as billing reports and service audit reports will be made available in SharePoint in dedicated vendor folders.
6. Vendors will be given a channel to contact the Waukesha County help desk for password resets and other technical support, including requesting not corrections.
7. When offboarding individuals under a vendor's control from the EHR system a Vendor Staff Offboarding Form must be completed, located at <https://www.waukeshacounty.gov/HealthAndHumanServices/CCSVendorResources/StaffOffboarding>.
 - A. The IT Helpdesk at 866-268-9311 will be called when expedited access termination is needed.
 - B. Once the request is received, the individual user's access will be terminated.

V. REFERENCES

- 42 CFR § 2.11 – CONFIDENTIALITY OF SUBSTANCE USE DISORDER PATIENT RECORDS; Definitions. (2023)
- 42 CFR § 2.21 – CONFIDENTIALITY OF SUBSTANCE USE DISORDER PATIENT RECORDS; Notice to Patients of Federal Confidentiality Requirements. (2023)
- 45 CFR § 160.103 – GENERAL ADMINISTRATIVE REQUIREMENTS; Definitions. (2023)
- 45 CFR § 164.501 – SECURITY AND PRIVACY; Definitions (2023)
- Wis. Admin. Code § DHS 36.10 – COMPREHENSIVE COMMUNITY SERVICES FOR PERSONS WITH MENTAL DISORDERS AND SUBSTANCE-USE DISORDERS; Personnel policies (2023)
- Wis. Admin. Code § DHS 36.11 – COMPREHENSIVE COMMUNITY SERVICES FOR PERSONS WITH MENTAL DISORDERS AND SUBSTANCE-USE DISORDERS; Supervision and clinical collaboration (2023)
- Wis. Admin. Code § DHS 36.12 – COMPREHENSIVE COMMUNITY SERVICES FOR PERSONS WITH MENTAL DISORDERS AND SUBSTANCE-USE DISORDERS; Orientation and training (2023)
- Wis. Admin. Code § DHS 36.18 – COMPREHENSIVE COMMUNITY SERVICES FOR PERSONS WITH MENTAL DISORDERS AND SUBSTANCE-USE DISORDERS; Consumer Service Records (2023)
- Wis. Admin. Code § DHS 107.32 – COVERED SERVICES; Case Management Services (2023)
- Forward Health Update 2010-94 – Introducing the Community Recovery Services Benefit

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- Forward Health Update 2018-17 – New and Clarified Coverage Policy for Psychosocial Rehabilitation Programs
- DCTS Action Memo 2023-10 – Updates to the Community Recovery Services Program
- WCDHHS Comprehensive Community Services DHS 36 Policy and Procedure Guide

VI. FORMS/ATTACHMENTS

- Waukesha County Provider Avatar Access Agreement (HHS 4402-A)
- CCS CRS Onboarding/Offboarding Checklist (HHS 4402-B)
- Vendor Orientation Form – CSS Orientation and Training Program Log (HHS 4402-C)
- Waukesha County Comprehensive Community Service (CCS) New Provider Application
- F-82064 – BACKGROUND INFORMATION DISCLOSURE (BID) FOR ENTITY EMPLOYEES AND CONTRACTORS
- F-02565 – COMMUNITY RECOVERY SERVICES (CRS) STAFF BACKGROUND CHECK CONFIRMATION
- IRS Form W-9 – Request for Taxpayer Identification Number and Certification <https://www.irs.gov/pub/irs-pdf/fw9.pdf>

VII. KEYWORDS

Vendor, Provider, Contractor, Avatar, MyAvatar, Third-Party, Access, Comprehensive Community Services, Community Recovery Services