Mass HIway Connection Requirement and Attestation Support

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This presentation has been reviewed and approved by the Mass HIway, and the presenters are acting as authorized representatives of the Mass HIway.

The information provided in this presentation is for general information purposes only, and in no way modifies or amends the statutes, regulations, and other official statements of policy and procedure that govern access to and use of the Mass HIway.
Introduction to the Mass HIway

Mass HIway Regulations and Connection Requirement

Attestation Requirement

HIway Adoption and Utilization Support (HAUS) Services
The Massachusetts Health Information HIway (Mass HIway) promotes health information exchange by healthcare providers and other HIway participants through technical infrastructure, technical assistance, and market governance.

The Mass HIway’s activities assist the Commonwealth’s healthcare community:

- By improving care coordination, quality, patient satisfaction, and public health reporting while containing costs.

EOHHS contracts with two primary vendors to operate and maintain HIway Direct Messaging:

- Orion Health provides Direct Messaging implementation and technical support services.
- MeHI, the Massachusetts eHealth Institute, supports providers with:
  - Account management, consulting services, and outreach and education.

Goals of the Mass HIway:

- To increase the adoption and effective use of HIE across the state.
- To provide a stable, secure, and cost-effective Direct Messaging platform.
Mass HIway – Current Services

Enable health information exchange by HIway users and other healthcare providers regardless of affiliation, location, or differences in technology

HIway Direct Messaging
- Secure method of sending transmissions from one HIway user to another
- HIway connection for Massachusetts Public Health Reporting
- HIway does not use, analyze, or share information in the transmissions and does not currently function as a clinical data repository

HIway Adoption and Utilization Support (HAUS) Services
- Assistance for eligible organizations in the deployment of HIE to enhance care coordination
- On-site/remote training and support for staff to use Mass HIway and update associated workflows

HIway Provider Directory 2.0
- Provider Directory listing in-state providers connected to HIE
- Contains information for 25,000+ HIway Users

Statewide ENS Framework
- Interoperable network of Certified ENS Vendors that enables Event Notification Services (ENS) across Massachusetts
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HIway Adoption and Utilization Support (HAUS) Services
Mass HIway Regulatory Goals:

- Implement statutory requirement for providers to connect to Mass HIway, which is referred to as the *HIway Connection Requirement*
- Establish requirements for organizations that use the Mass HIway
- Establish mechanism to allow patients to opt in and opt out of Mass HIway

Initial regulations went into effect on February 10, 2017

- Requires that information be transmitted via HIway Direct Messaging in compliance with applicable federal and state privacy laws and implementing regulations

Supporting documentation available on Mass HIway website

[Mass HIway Regulations Summary](#)
[Mass HIway Regulations FAQs](#)
[Mass HIway Policies & Procedures (version 4)](#)
[Mass HIway Fact Sheet for Patients](#)
[Mass HIway Education Webinars](#)
Define important requirements for the use of HIway Direct Messaging

Aligns HIway Direct Messaging with other modes of transmission like fax or phone

- In compliance with applicable federal and state privacy laws and regulations
- For example, HIPAA, 42 CFR Part 2, M.G.L. Chapter 93H

1-page Mass HIway

HIway users have option to implement a local opt-in and opt-out process

- This option applies to the organization’s use of HIway Direct Messaging

HIway users have option to distribute 1-page Mass HIway Fact Sheet for Patients

- If this option is applied, the fact sheet released in March 2017 should be distributed
HLway Connection Requirement requires providers to connect to the Mass HLway as set forth in M.G.L. Chapter 118I, Section 7, and as detailed in the Mass HLway Regulations (101 CMR 20.00)

<table>
<thead>
<tr>
<th>Performance year by provider organization</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acute Care Hospitals</td>
<td>Year 1</td>
<td>Year 2</td>
<td>Year 3</td>
<td>Year 4</td>
<td><strong>Year 5</strong></td>
<td>Year 6</td>
</tr>
<tr>
<td>Large &amp; Medium Medical Ambulatory Practices</td>
<td>Year 1</td>
<td>Year 2</td>
<td>Year 3</td>
<td>Year 4</td>
<td><strong>Year 4</strong></td>
<td>Year 5</td>
</tr>
<tr>
<td>Large Community Health Centers</td>
<td>Year 1</td>
<td>Year 2</td>
<td>Year 3</td>
<td>Year 4</td>
<td><strong>Year 4</strong></td>
<td>Year 5</td>
</tr>
<tr>
<td>Small Community Health Centers</td>
<td>Year 1</td>
<td>Year 2</td>
<td>Year 3</td>
<td>Year 4</td>
<td><strong>Year 3</strong></td>
<td>Year 4</td>
</tr>
</tbody>
</table>
Organizations that need to connect

Section 20.06 of the Mass HIway Regulations provides the definitions of the Provider Organizations that have HIway connection dates specified in the regulations.

**Acute Care Hospital (ACH):**
Hospitals licensed under M.G.L. c111 s.51, and the teaching hospital of UMass Medical School

- For a list of Health Care Facilities Licensed or Certified by the Department of Public Health (DPH), *click here*

**Medical Ambulatory Practice:**
Organization that includes licensed providers who provide primary or specialty outpatient health care

- *Large Medical Ambulatory Practice:* more than 50 licensed providers
- *Medium Medical Ambulatory Practice:* 10 to 50 licensed providers

**Community Health Center (CHC):**
Federally Qualified Health Center (FQHC) or a FQHC look-alike (as defined by HRSA), or an organization that files cost reports as a CHC, as requested by the Health Policy Commission

- *Large CHC:* 10 or more licensed providers
- *Small CHC:* less than 10 licensed providers

* This list is referred to as the *Massachusetts Licensed or Certified Health Care Facility/Agency Listing* in Section 20.06 of the regulations.
How to determine organization size?

Mass HIway Regulations Section 20.06 provides detailed definitions

**Licensed Providers are limited to include**

- Medical doctors, doctors of osteopathy, nurse practitioners, and physician assistants

**Licensed Providers are defined as providers who provide services to patients, on behalf of the Provider Organization, regardless of employment status**

**The Number of Licensed Providers** is the number of providers who provided services in June of the first year the organization is required to connect to the Mass HIway*

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* The Mass HIway team used 2018 data provided by the Health Policy Commission through their Massachusetts Registry of Provider Organizations Program (MA-RPO) to determine which organizations need to attest. The MA-RPO contains information about the number of medical doctors (MDs) and doctors of osteopathy (DOs) that are practicing within the provider organization included in the dataset, but does not contain information about the number of nurse practitioners (NPs) or physician assistants (PAs). Because the Mass HIway Regulations consider RNs and PAs licensed providers and most ambulatory practices have Nurse Practitioners and/or Physician Assistants on staff, the HIway team identified the provider organizations within the MA-RPO dataset that had 8 or more MDs and/or DOs to accommodate for the lack of NPs and PAs being included in the dataset. This was done to ensure that any provider organization that included 10 or more licensed providers was accounted for, so they could be notified that they are required to meet the connection requirement.
The HIway Connection Requirement is phased in over 4 years

1. The connection requirement gets progressively stricter each year
2. Organizations that don’t meet the requirement may be subject to penalties starting in Year 4
3. The 4-year phase-in period is based on when the Provider Organizations must be connected

<table>
<thead>
<tr>
<th>Organization Type</th>
<th>Year 1</th>
<th>Year 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acute Care Hospitals</td>
<td>2017</td>
<td>2020</td>
</tr>
<tr>
<td>Large and Medium Medical Ambulatory Practices</td>
<td>2018</td>
<td>2021</td>
</tr>
<tr>
<td>Large Community Health Centers</td>
<td>2018</td>
<td>2021</td>
</tr>
<tr>
<td>Small Community Health Centers</td>
<td>2019</td>
<td>2022</td>
</tr>
</tbody>
</table>

Provider types not yet specified in the regulations are anticipated to be required to connect at a future date. Guidance to the affected providers will be provided with at least one year notice.

Provider Organizations must document use cases that employ HIway Direct Messaging to meet the requirement to implement “interoperable EHR systems”
The 4-year phase-in approach progressively encourages providers to use the Mass HIway for Provider-to-Provider communications via bi-directional exchange of health information

Progressive HIway Connection Requirements

- **Year 1** Send or receive HIway Direct Messages for at least one use case
  - Can be from any use case category listed below

- **Year 2** Send or receive HIway Direct Messages for at least one use case
  - Must be a Provider-to-Provider Communications use case

- **Year 3** Send HIway Direct Messages for at least one use case, and Receive HIway Direct Messages for at least one use case
  - Both must be Provider-to-Provider Communications use cases

- **Year 4** Meet Year 3 requirement, or may be subject to penalties if requirement is not met

**Additional ADT Requirement for Acute Care Hospitals Only to use a Certified ENS Vendor**

Send Admission, Discharge, and Transfer notifications (ADTs)
EOHHS extended the deadline for Acute Care Hospitals to submit ADTs to a Certified ENS Vendor, and the date for potential penalties for noncompliance.

Extended deadlines

- The date for required ADT submission under 101 CMR 20.08(4)(b) was extended to **April 1, 2021**

- The new date for Acute Care Hospitals becoming subject to penalties under 101 CMR 20.08(4)(d) for ADT submission non-compliance has been extended to **October 1, 2021**

EOHHS issued this extension so Acute Care Hospitals and ENS Vendors would have additional time to resolve contractual and technical matters.

EOHHS has published the list of Certified ENS Vendors on the [Mass Hiway website](#).
<table>
<thead>
<tr>
<th>Use Case Categories</th>
<th>Example Use Cases</th>
</tr>
</thead>
</table>
| **Provider-to-Provider Communications**  
- Allowed in Year 1  
- Required in Years 2 to 4 |  
• Hospital sends a discharge summary to a Skilled Nursing Facility (SNF) or Long Term/Post Acute Care (LTPAC) facility  
• Primary Care Provider (PCP) sends a referral notice to a specialist  
• Specialist sends consult notes and updated medications list to patient’s PCP  
• Hospital ED requests a patient’s medical record from a PCP  
• PCP sends a CCD or C-CDA with problems, allergies, medications, and immunizations (PAMI) to a Hospital caring for their patient  
• Community Partner sends a care plan to a PCP for review and approval |
| **Payer Case Management**  
- Allowed in Year 1 |  
• ACO/Provider sends quality metrics or claims to a payer  
• Provider sends lab results to a payer |
| **Quality Reporting**  
- Allowed in Year 1 |  
• Provider sends clinical data to Business Associate for quality metrics analysis  
• Provider sends quality metrics to Business Associate for report preparation |
| **Public Health Reporting**  
- Allowed in Year 1  
- to DPH  
- to other agencies |  
• Massachusetts Immunization Information System (MIIS)  
• Syndromic Surveillance (SS)  
• Opioid Treatment Program (OTP)  
• Childhood Lead Paint Poison Prevention Program (CLPPP)  
• Occupational Lead Poisoning Registry (Adult Lead)  
• Children’s Behavioral Health Initiative (CBHI) |
Introduction to the Mass HIway

Mass HIway Regulations and Connection Requirement

Attestation Requirement

HIway Adoption and Utilization Support (HAUS) Services
The Year 3 through Year 5 Attestation Forms collect two key areas of information:

1. **How the organization met the HIway Connection Requirement**
   - Questions include:
     - Provider-to-provider use case description
     - Approximate number of HIway Direct Messages per month for the use case

2. **Whether the organization has an EHR, and if so, how it connects to the HIway**
   - Questions include:
     - Name and version of the EHR?
     - Is the EHR an ONC Certified Health IT Product?
     - How is the organization connecting to the HIway?
       - Options include: (1) EHR directly to HIway, (2) EHR via a HISP, or (3) via Mass HIway webmail, (4) via a DirectTrust-accredited HISP other than the Mass HIway

The Year 5 Attestation Form will also collect information from Acute Care Hospitals to determine whether they are submitting ADTs to a Certified ENS Vendor.

*Organizations that don’t meet their connection requirement must complete an Exception Form explaining why they were unable to meet the requirement.*
In 2021, provider organizations must submit an online Attestation Form between August 1 and October 31*

Additional information collected

3. Provider Organization’s Direct Address domain(s)
   Use cases cited on the organization’s attestation form fulfill the connection requirement when:
   • The organization is using a HIway Direct address, or
   • The other party listed in the organization’s use case is using a HIway Direct address, or
   • Both parties listed in the organization’s use case are using DirectTrust-accredited HISPs to send/receive messages (New for attestation year 2021)

Examples include:
   – Surescripts
   – athenahealth
   – eClinicalDirect
   – Cerner

A list of HISPs that have achieved DirectTrust accreditation can be found [here](#) (under “Directory Aggregation Participants”)

*Organizations that don’t meet their connection requirement must complete an Exception Form explaining why they were unable to meet the requirement.
1. To access the forms, go to the “Regulations” drop-down menu and select “Attestation Forms”
2. Download the PDF version to prepare your answers
3. When ready to submit, click on the link to access the online version

The Attestation Forms are available on the Mass HIway website: masshiway.net
Section 3 – How organizations fulfill the Connection Requirement

**Question 3.8**

What must an organization do if it does not meet its 2021 HIway Connection Requirement?

*The Mass HIway may contact the organization to discuss that organization’s plans to comply with its 2021 HIway connection requirement.*

If an organization did not meet its Year 3 HIway connection requirement in 2021, it is still expected to meet the Year 4 requirement in 2022 and submit a Year 4 HIway Attestation Form by Summer 2022. If an organization did not meet its Year 4 requirement in 2021, the organization is expected to meet its Year 4 requirement in 2022 and submit a Year 5 attestation form by Summer 2022.

As required by M.G.L. c. 118I, Section 8, the Mass HIway Regulations (101 CMR 20.13- 20.16) establish penalties for not meeting the HIway connection requirement. These penalties may begin in Year 4 of a Provider Organization’s HIway connection requirement.
Next Steps

Submit Attestation Form through the Mass HIway website between August 1 and October 31*

Mass HIway will send a confirmation email

Contact the HIway with questions and comments

- To ask questions about the connection requirement or attestation process, email MassHIway@state.ma.us with subject line “Connection Requirement/Attestation”

- Confirmation of your attestation and other communications related to the attestation process will come from MassHIwayAttestation@state.ma.us (Note: white list this address so the message does not go to your spam folder)

* Organizations that don’t meet their connection requirement must complete an Exception Form explaining why they were unable to meet the requirement.
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Mass HIway Regulations and Connection Requirement

Attestation Requirement

HIway Adoption and Utilization Support (HAUS) Services
Mass HIway offers HAUS Services to assist organizations in the deployment of electronic health information exchange to enhance care coordination

HAUS Account Management Team will assist organizations with

- Technical Connectivity Assessment
- New or improved utilization of HIE in care coordination, through the development and implementation of HIE-supported use cases
- HIE Technology and Workflow Project Plan
- Training on how to use Direct Messaging services and workflow implementation

Three tracks available to receive HAUS Services

- HAUS for MassHealth Accountable Care Organizations (ACOs), Community Partners (CPs), and Community Service Agencies (CSAs), in partnership with MassHealth
- HAUS for other healthcare organizations that need to connect to the Mass HIway to meet the regulations
- HIway participants interested in using Direct Messaging to support care coordination
HIway Account Managers conduct the following HAUS project services:

- **Conduct Capabilities Evaluation**
- **Identify key staff for project and oversight of project team**
- **Facilitate calls and meetings among trading partners and project team**
- **Develop Use Cases for HIE-supported Transitions of Care**
- **Track progress and mediate barrier resolution**
- **Facilitate process mapping to incorporate HIE into the workflows**
- **Provide training for workflow process mapping**
- **Support enrollment, onboarding, and utilization of HIE and/or Mass HIway**

**Develop and Manage Project Plan**
The HIway Account Management Team

Front-line HAUS support to help with enrollment, connectivity, and use of Direct Messaging

- Enrollment
- Use case identification
- Trading partner identification
- Onboarding support
- Training and workflow implementation
- HIE best practices

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Thank you!

The Massachusetts Health Information Highway (Mass HIway)

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Email for general inquires: MassHIway@state.ma.us

Email for technical support: MassHIwaySupport@state.ma.us

Website: MassHIway.net
• **Year 3, 4, 5 - Question 7:** The HIway has assigned unique identification codes to provider organizations/sub-organizations. Please refer to the HIway Unique ID Spreadsheet (found on this page) to find the code assigned to your organization. Please enter the code in the field below.

If you cannot find your organization/sub-organization(s) on this spreadsheet, or if you need clarification or assistance, please email the HIway at MassHIwayAttestation@state.ma.us.

• This is an opportunity for large organizations to list their sub-organizations on the same Attestation Form as long as all practice locations utilize the same EHR installation and use the same Direct address domain listed in Question 5.*

• **NEW THIS YEAR:** Provider Organizations must enter their organization’s unique ID (and, if applicable, the unique IDs for any sub-organizations) on their attestation/exception form. Your ID is assigned by the HIway and can be found using this document.

*Slides 27-31: Supplementary notes and instructions are listed in blue*
Year 3, 4, 5 - Question 14: Full legal name(s) and city/towns of the other entity (or entities) participating in the Provider to Provider exchange of information for the Use Case:

- Include the full name of the trading partner organization along with city/town in which it is located. Separate each organization with a semicolon.

*Slides 27-30: Supplementary notes and instructions are listed in blue
Year 3, 4, 5 - Question 25: Please estimate the percent of instances of information sharing that are part of the Use Cases that are sent and/or received solely via the Mass HIway.

If you select either of the first two responses below, please also select “Yes” to Question 26 and answer the follow up question.

- Less than 25% of the instances of information sharing that are part of the Use Cases are sent and/or received via the Mass HIway.
- Between 25-99% of the instances of information sharing that are part of the Use Cases are sent and/or received via the Mass HIway.
- 100% of the instances of information sharing that are part of the Use Cases are sent and/or received via the Mass HIway.
**Year 3, 4, 5 - Question 26:** Some organizations send one transmission via multiple information channels (e.g., a hospital sending a care plan via the Mass HIway and also via fax). Does your Provider Organization send the information being transmitted as part of the Use Case via multiple channels?

- **Yes** Choose this response if your organization is also sharing clinical information with your trading partner you listed on your Attestation Form via fax, eFax, mail, phone call, secure email or sFTP.

- **No** Choose this response if the Mass HIway is the only way you are sharing information with your trading partner you listed on your Attestation Form.

If yes, list other methods: fax, eFax, mail, phone call, secure email, sFTP?

If yes, indicate if there are plans to use HIway Direct Messaging as the sole method of transmitting the information for the Use Cases:

- **Yes** Select if fax, eFax, mail, phone call, secure email, or sFTP will not be used in the future; only Mass HIway will be used to share information with this trading partner.

- **No** Select if fax, eFax, mail, phone call, secure email, or sFTP will continue to be used.
Mass HIway Regulations FAQs provide Questions & Answers related to:

a) The Mass HIway Regulations and b) The attestation process

The Mass HIway Regulations FAQs is available on the Mass HIway website.
1. Background about the Mass HIway Regulations and M.G.L. Chapter 118I
2. The HIway connection requirement: who and when
3. The HIway connection requirement: how organizations fulfill the requirement
4. Penalties for non-compliance with the HIway connection requirement
5. The opt-in opt-out mechanism for the Mass HIway
6. The requirements regarding Electronic Health Records (EHRs)
7. The Mass HIway Policies & Procedures
8. FAQs regarding Community Health Centers
9. FAQs regarding Medical Ambulatory Practices
10. Other FAQs
Section 2 – The HIway Connection Requirement: Who and When

Question 2.9
If a healthcare organization consists of multiple Provider Organizations that each have a required HIway connection date, may the organization use a single Attestation Form for multiple Provider Organizations?

Answer*
Each Acute Care Hospital and each Large Community Health Center must complete a separate Attestation Form even if the Acute Care Hospital or Community Health Center is part of a larger healthcare organization.

* However, in 2021, if a healthcare organization includes multiple Medium or Large Medical Ambulatory Practices that have required HIway connection dates, then these Medium or Large Medical Ambulatory Practices can be included in a single Year 4 Attestation Form if each of the practices (a) use the same instance of an EHR installation, and (b) use the same Direct address domain name.
The Mass HIway may require Medical Ambulatory Practices to submit separate Attestation Forms as it deems necessary.
Organizations can contact the Mass HIway with questions regarding whether multiple practices can be included in a single Attestation Form.
Section 3 – How Organizations Fulfill the Connection Requirement

Question 3.2
What is the definition of a Use Case in the HIway Connection Requirement?

Answer*

101 CMR 20.04 defines a Use Case as a narrative that describes how to accomplish a business goal that can be implemented between two or more organizations. The Use Case must be based on Provider-to-Provider Communications (e.g., Acute Care Hospital sending discharge summary to primary care provider).

Fulfilling the HIway Connection Requirement involves sending and/or receiving HIway Direct Messages for a Use Case. A technical connection to the HIway without using that connection is not sufficient to meet the requirement.

* EOHHS expects Provider Organizations to use HIway Direct Messaging, to the extent feasible, for all instances of info sharing in the implemented Use Case, regardless of the number of HIway Direct Messages transmitted as part of the Use Case.

However, in 2021, using HIway Direct Messaging for all instances of info sharing that are part of the Use Case is not required. In some Use Cases, Provider Organizations may use HIway Direct Messaging for some instances of info sharing, while using alternate methods (e.g., fax or mail) for other instances. For example, a hospital might send discharge summaries to Department X at Nursing Home A via HIway Direct Messaging, while sending discharge summaries to Department Y at Nursing Home A via fax.

Implementation of a Use Case involves using HIway Direct Messaging as part of an ongoing workflow. Using HIway Direct Messaging in a pilot project or testing phase of using HIway Direct Messaging is not considered a fully implemented Use Case. Also see question 3.3.
Section 8 – FAQs regarding Community Health Centers

**Question 8.3**
If a single Community Health Center has one or more satellite locations or school-based satellite clinics, does each satellite location need to submit a separate Attestation Form?

**Answer**
The satellites do not need to submit a separate Attestation Form (also see Mass HIway Regulations FAQ - question 2.6).
Section 9 – FAQs regarding Medical Ambulatory Practices

Question 9.4
If a medical practice is providing both specialty inpatient and specialty outpatient healthcare services within the facilities of an Acute Care Hospital, is this practice considered a Medical Ambulatory Practice?

Answer*

The practice is not considered a Medical Ambulatory Practice for the purpose of the Mass HIway Regulations if the following two criteria are met:

a) a majority of patients, to whom the practice delivers services, receive services within an Acute Care Hospital’s facilities, and

b) the practice uses the same instance of an EHR system installation as the Acute Care Hospital

If the practice and the hospital both use an EHR system made by the same vendor, but they use different instances of an EHR system installation, this criterion has not been met

* For example, consider the case of a medical practice that consists of a group of emergency room physicians that exclusively cares for patients within the facilities of an Acute Care Hospital’s emergency department, and this medical practice uses the same instance of the Acute Care Hospital’s EHR system. In this case the medical practice of emergency room physicians is not considered a Medical Ambulatory Practice for the purpose of the regulations because: (1) all the patients they care for are receiving services within the Acute Care Hospital’s facilities, and (2) the physicians in this medical practice use the same instance of an EHR system implementation as the Acute Care Hospital. Since this medical practice of emergency room physicians is not considered to be a Medical Ambulatory Practice for the purposes of the regulations, then at this time, it does not have a required HIway connection date and it is not required to submit an Attestation Form.
This fact sheet provides patients key information about the Mass HIway

- The Mass HIway does not function as a clinical data repository that holds electronic medical records for individuals
- Patients’ electronic health record(s) are held by provider organizations and not the Mass HIway
- **Note: Distribution of the Fact Sheet for Patients is not a requirement to use HIway Direct Messaging**
Connectivity Options

User types
- Physician practice
- Hospital
- BH, Long-term care and other providers
- Public health
- Health plans

Connectivity options
- EHR connects directly
- EHR connects via Connect Device
- EHR connects via HISP (Health Information Service Provider)
- User connects via webmail

HIE services