

TITLE: DISPUTES, SUSPENSIONS, AND TERMINATION POLICY	
STATUS: FINAL	EFFECTIVE DATE: May 9, 2014
VERSION: 2	PAGE: 1 OF 3

I. PURPOSE

It is the policy of ClinicalConnect HIE (HIE) to ensure that only Participants, who are in good standing are able to access information through the HIE. This policy establishes ClinicalConnect HIE's responsibility as it relates to the suspension, termination and reinstatement of a participant's access to the ClinicalConnect HIE and the dispute resolution process.

II. SCOPE

This policy applies to ClinicalConnect HIE Staff and its Participants.

III. DEFINITIONS

"Dispute" is any controversy, dispute or disagreement arising out of or relating to a Participant's compliance with the Data Exchange Agreement.

"Participant" is an organization (including physician practice) that has signed a Data Exchange Agreement with the ClinicalConnect HIE.

"Protected Health Information" or "PHI" shall have the same meaning as set forth in HIPAA.

IV. POLICY

A. Suspension by Participant.

1. A Participant may voluntarily suspend its participation in the HIE by giving ClinicalConnect HIE at least twenty-four (24) hours prior written notice. ClinicalConnect HIE shall suspend the Participant's ability to exchange information with the HIE and notify all other Participants of the voluntary suspension. A voluntary suspension shall be for no longer than five (5) consecutive calendar days or for more than twenty (20) calendar days during any twelve (12) month period, unless a longer period is agreed to by ClinicalConnect HIE.

B. Termination by Participant.

1. A Participant may voluntarily terminate its participation in the HIE by giving ClinicalConnect HIE at least five (5) business days written notice. ClinicalConnect HIE shall revoke the Participant's ability to exchange information with the HIE as of the date of the termination specified in the notice and notify all other Participants of the voluntary termination.

C. Suspension by ClinicalConnect HIE.

1. ClinicalConnect HIE shall investigate all Participant actions that may result in an erroneous exchange of data through the HIE. Upon determining a substantial likelihood of improper data exchange, ClinicalConnect HIE shall prepare to suspend the Participant's ability to exchange information with the HIE while seeking approval of the Board of Directors:
 - a. ClinicalConnect HIE shall notify all other Participants of the suspension.
 - b. ClinicalConnect HIE shall provide to the suspended Participant a written summary of the reasons for the suspension.
 - c. Suspended Participant shall submit to ClinicalConnect HIE a detailed corrective action or an objection to the suspension within three (3) business days or at the earliest practical time.
 - d. ClinicalConnect HIE shall review and either accept or deny the submitted corrective action plan within five (5) business days. If the corrective action plan is accepted, ClinicalConnect HIE shall reinstate the Participant's ability to exchange information with the HIE upon completion of the corrective action plan and notify all other Participants of the reinstatement. If the corrective action plan is rejected, ClinicalConnect HIE shall work with the suspended Participant to develop a corrective action plan that is acceptable to both.

D. Dispute Resolution.

1. A suspended Participant may submit a written notice to ClinicalConnect HIE any time after a submitted corrective action plan has been rejected requesting a meeting to resolve any disputes regarding the rejected corrective action plan. ClinicalConnect HIE shall meet with the Participant at least once within thirty (30) days of receiving the notice to try to reach resolution. ClinicalConnect HIE Board of Directors may terminate the suspended Participant if ClinicalConnect HIE and the Participant cannot reach agreement on a corrective action plan.

E. Termination by ClinicalConnect HIE.

1. After ClinicalConnect HIE has suspended a Participant's ability to exchange information with the HIE, the Participant may be terminated from participation in the HIE by the Board of Directors as follows:
 - a. Participant fails to submit a corrective plan of action.
 - b. Participant and ClinicalConnect HIE fail to reach agreement on a plan of correction after exhausting efforts.
 - c. Participant in material default for a duty or obligation imposed by the Data Exchange Agreement or Membership Agreement and the default has not been cured within thirty (30) days.
 - d. Upon termination, ClinicalConnect HIE shall revoke the Participant's ability to exchange information with the HIE and notify all other Participants of the termination. All PHI provided to or exchanged

V. Revision History

DATE	AUTHOR	COMMENTS
5/9/14	Jacqueline Smith	Creation of the Policy
12/24/15	Erika Jones	Update the template
4/1/17	Keith Dukes	Reviewed Policy – No Changes