



CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Protection and Permanency

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PROTECTION AND PERMANENCY MEMORANDUM 21-07

TO: Service Region Administrators
Service Region Administrator Associates
Service Region Clinical Associates
Regional Program Specialists
Family Services Office Supervisors

FROM: Tracy DeSimone, Assistant Director
Division of Protection and Permanency

DATE: April 5, 2021

SUBJECT: Clarification-KHIE Breaking the Glass

The purpose of this memorandum is to clarify that DCBS staff should ***only*** use the Kentucky Health Information Exchange (KHIE) to search for medical records for children in out-of-home care (OOHC). The current agreement between DCBS, the Department for Medicaid (DMS), and KHIE only permits DCBS staff to obtain KHIE records for children in OOHC. Since the implementation of the *Breaking the Glass* feature, there have been many instances of TWIST users accessing records of individuals who are not in OOHC.

If a TWIST user searches for an individual that is not in OOHC, the TWIST user will be presented with the *Break the Glass* warning. If the TWIST user proceeds with accessing the individual's records, the system will allow the TWIST user to access the patient record after providing the appropriate reason for access. The TWIST user's information is recorded and monitored to ensure appropriate use.

The TWIST user must select from following in the *Reason for Access* drop down menu:

- *Emergency Placement*-Emergency removal and child has not been entered into the TWIST placement screens;
- *No Medicaid ID Match*-The TWIST individual has not matched with an individual in KHIE. To determine if a match has been made, TWIST users can view the KHIE Event Notification

panel in the OOHC placement screens. This notification will be selected if a Medicaid ID match has been made; or

- *Other*- A text box (500 characters) will be available to provide justification for reviewing the individual's record.

Within the *Other* text box, TWIST users have provided many reasons for *Breaking the Glass* that are not permitted at this time. Some reasons include investigations, drug screen monitoring, APS case work, and in-home ongoing case work.

Until additional agreements are developed with DMS and KHIE, DCBS staff may not access KHIE records for any individual that is not in OOHC. Unauthorized access and use of medical records violates state and federal confidentiality laws, including HIPAA, and can lead to disciplinary and legal actions.

For additional information, please refer to [PPM 21-06 KHIE Breaking the Glass Feature](#) and [PPM 20-17 Kentucky Health Information Exchange \(KHIE\)](#).

If you have any questions regarding this memorandum, please contact:

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