



Rod R. Blagojevich, Governor
Damon T. Arnold, M.D., M.P.H., Director

525-535 West Jefferson Street • Springfield, Illinois 62761-0001 • www.idph.state.il.us

October 5, 2007

Dear Participant:

Thank you for participating in our first meeting. I wanted to provide a brief update since our last meeting. I had some further discussion internally with Jeff Johnson, Laura Martin and Brian Annulis. Based on the discussion and comments during the call, we have decided that it would be very worthwhile to pursue two approaches to the model consent for reaction and input. Under the first, we would assume that HIPAA authorizes the sharing of most PHI among providers for treatment purposes via the HIE and would therefore develop model language that could be inserted in a notice of privacy practices and a limited consent to address uses and disclosures of highly sensitive information that is accorded greater protection under law. Under the second approach, we would develop a consent that would apply to any use or disclosure of PHI exchanged via the HIE, regardless of whether consent is technically required by law. I believe that this parallel track approach will result in a more meaningful work-product in future efforts.

Please continue to provide any additional comments and concerns Kathy or I, and I hope you join us for the next meeting.

Sincerely,

A handwritten signature in cursive script that reads "Marilyn Thomas".

Marilyn Thomas
Chief Counsel
Legal Workgroup Chair