



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

June 2017

Dear Administrator:

This letter is to remind you of the [Statewide Health Information Network for New York \(SHIN-NY\) Regulation](#) that was adopted and published in the State Register on March 9, 2016. Section 300.6 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York (10 NYCRR), "Participation of health care facilities" requires that by March 9, 2018 all health care facilities, as defined in Public Health Law § 18(1)(c) (includes ambulatory surgery centers, diagnostic and treatment centers, clinics, nursing homes, home care services agencies, hospices, health maintenance organizations that are health care providers, and shared health facilities) utilizing certified electronic health record technology under the federal Health Information Technology for Economic and Clinical Health Act (HITECH), must become participants of a qualified entity (QE). This connection will allow connectivity to the SHIN-NY, and participants must allow private and secure bi-directional access to patient information by other QE participants authorized by law to access such patient information.

The New York State Department of Health (NYSDOH) may waive the requirements if a facility can demonstrate, to the satisfaction of the NYSDOH, that there is economic hardship, technological limitations or practical limitations that are not reasonably within the control of the health care provider, or other exceptional circumstances demonstrated by the health care provider to the NYSDOH as the Commissioner may deem appropriate. Waiver requests must include a formal letter indicating the identified hardship, limitation, or circumstance for consideration to be submitted to NYSDOH at SHIN-NY@health.ny.gov no later than March 9, 2018. The SHIN-NY waiver guidance can be found at: <https://www.health.ny.gov/technology/regulations/shin-ny/>.

NYSDOH will regularly update [SHIN-NY Policy Guidance](#) with details for the sharing of information with the SHIN-NY to support health care transformation activities. The Department recognizes that not all organizations are at the same level of data collection or technical interoperability. With this understanding, the Department is setting a target as the [common clinical dataset](#) to be made available as a structured document, using the Consolidated Clinical Document Architecture (CCD-A) described by the Office of the National Coordinator for Health IT certification requirements. If an organization (that is not a general hospital) is unable to make the dataset available in CCD-A, other formats will be acceptable.

Information on the Qualified Entities (QEs) that make up the SHIN-NY can be found here: <https://www.nyehealth.org/shin-ny/connect-use/>.

We appreciate your timely actions and cooperation in ensuring successful connectivity to the SHIN-NY for the purpose of improved health care across the State. If you have any questions, please contact Deirdre Depew at 518-474-5423 or Deirdre.depew@health.ny.gov.

Sincerely,

A handwritten signature in black ink that reads "Anne Schettine". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Anne Schettine
Director
Office of Quality and Patient Safety