



MARYLAND
Health Care
Commission



Electronic Advance Directives in Maryland

April 27, 2023



What is an Advance Directive?

- ▶ A useful, legal way for an individual (or declarant) to specify medical care they want or do not want, particularly treatment preferences in an emergency or near end of life
 - Can include the name of a health care agent (or proxy) to make decisions for a declarant if they are unable to do so themselves
- ▶ **Electronic advance directives** allow this important information to be created, updated, and shared securely with treating health care providers





BACKGROUND



Timeline

- ▶ **2011** – The Maryland Health Care Commission (MHCC) was awarded \$1.6 million by the Office of the National Coordinator for Health Information Technology (ONC) to explore options to facilitate the availability of electronic advance directives
- ▶ **2012** – The Secretary of the Maryland Department of Health (MDH) provided MHCC with additional startup funding to pilot the exchange of electronic advance directives through the State-Designated Health Information Exchange (HIE), the Chesapeake Regional Information System for our Patients (CRISP)



Timeline *(Continued...)*

- ▶ **2013** – The MHCC issued a Request for Proposals to identify a vendor to implement a statewide electronic advance directives system that health care providers could access through CRISP; ADVault (dba MyDirectives.com) was competitively selected to collaborate with CRISP to build an interface between its cloud-based advance directive service and CRISP
- ▶ **2014** – An interface between the ADVault repository and CRISP was launched
- ▶ **2015, 2016, 2017, and 2022** – Legislation passed aiming to expand use of cloud-based technology to support diffusion of electronic advance directives statewide and requiring MHCC to coordinate accessibility of advance care planning documents in the State



STATE RECOGNITION OF AN ELECTRONIC ADVANCE DIRECTIVES SERVICE

About State Recognition



- ▶ Available to vendors offering an electronic advance directives service that provides consumers the option to create, upload, share, and update their advance directive
- ▶ Demonstrates a vendor meets certain criteria or standards for privacy and security, independent audits, education, reporting, and technical provisions
- ▶ A prerequisite for a vendor to integrate with CRISP
- ▶ Valid for three years, unless suspended or revoked by MHCC



INFORMATION SHEET



Overview

- ▶ State law requires development of an *Advance Directives Information Sheet* with specific written statements, including options for creating an electronic advance directive
- ▶ Managed care organizations (and others) are required make the information sheet available:
 - During enrollment and in enrollee publications
 - On their website
 - At an enrollee's request

Communications Toolkit



- ▶ Supports promotion of the *Advance Directive Information Sheet*
- ▶ Includes sample website language, social media posts, and downloadable images to consider when sharing

The MHCC is encouraging stakeholders to use the hashtag **#YourLifeYourDecisions** when sharing the information sheet on social media

The communications toolkit is available at:

mhcc.maryland.gov/mhcc/Pages/hit/hit_advancedirectives/hit_advancedirectives_communications_toolkit.aspx

Options and Sample Language for Websites



Option 1

Option 2

Advance Care Planning: Understand Your Options

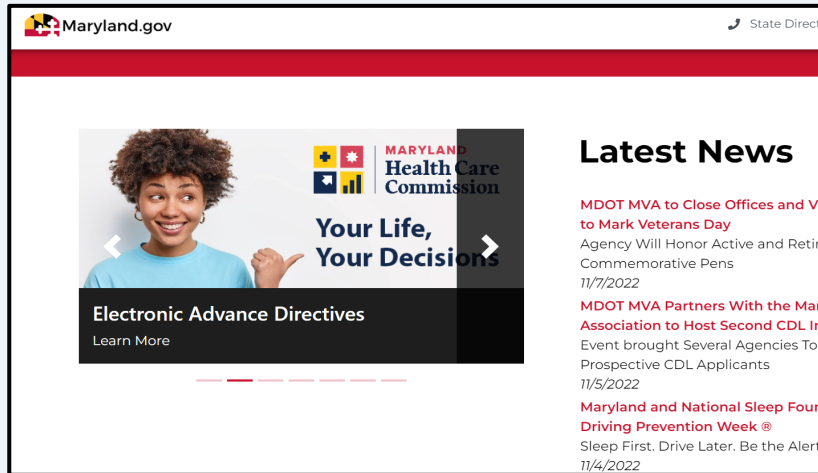
Advance care planning is a widely recognized way to support patient self-determination, facilitate decision making, and promote better care at the end of life ([AMA](#)). Regardless of health status, everyone over the age of 18 is encouraged to think about and document their values and treatment preferences to guide future medical decisions about their care. This includes appointing a health care agent. Refer to the *Advance Directives Information Sheet* for more information on the advance care planning process and how to create an electronic advance directive.

*Note: **The Advance Directives Information Sheet** is available in two options. Both options contain the same content; the only difference is how they are formatted.

Website Placement – Stakeholder Examples



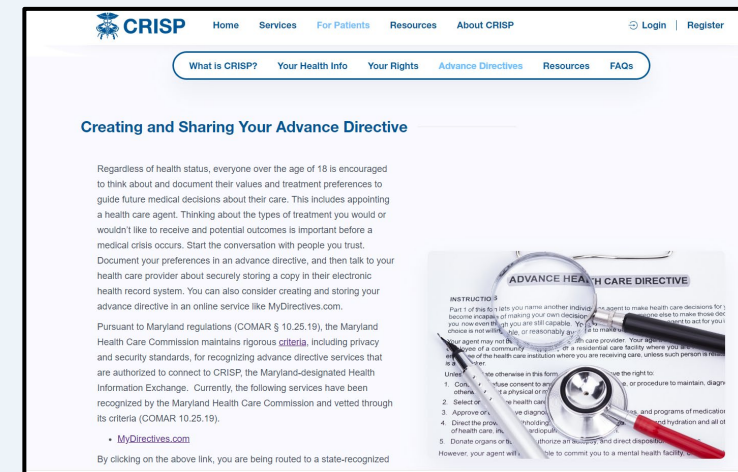
MVA
mva.maryland.gov



Locations:

- ▶ Newsfeed on [homepage](#) (pictured above)
- ▶ Linked on the [driver service information webpage](#)

CRISP
www.crisphealth.org



Locations:

- ▶ [Patient-facing webpage](#) (pictured above)
- ▶ [Provider-facing webpage](#)
- ▶ Callout box on [homepage](#)



More Information

For more information on the State Recognition Program and resources about advance directives, visit [MHCC's website](#) or contact adstaterecognition@maryland.gov