

MY HEALTH_eVET IDENTITY VERIFICATION

- 1. REASON FOR ISSUE:** This Veterans Health Administration (VHA) Handbook establishes procedure for verifying the identity of a Veteran or personal representative requesting an upgraded account for initial access to individually-identifiable health information within My Health_eVet (MHV). This includes procedures for Release of Information (ROI) staff, MHV Coordinators, or other staff assigned to perform identity verification.
- 2. SUMMARY OF MAJOR CHANGES:** This revised VHA Handbook:
 - a. Provides updated guidance on MHV identity verification to include the addition of remote identity verification.
 - b. Removes the requirements for sensitive record review and the viewing of the MHV video.
 - c. Changes the title from MHV In-Person Authentication to MHV Identity Verification.
- 3. RELATED ISSUES:** VHA Handbook 1605.1.
- 4. RESPONSIBLE OFFICE:** The Assistant Deputy Under Secretary for Health for Informatics and Analytics (10P2) is responsible for the content of this Handbook. Questions may be referred to 217-649-3691.
- 5. RESCISSION:** VHA Handbook 1907.02, dated June 27, 2008 is rescinded.
- 6. RECERTIFICATION:** This VHA Handbook is scheduled for recertification on or before the last working day of December, 2019.

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1. PURPOSE: This Veterans Health Administration (VHA) Handbook establishes procedures for verifying the identity of a Veteran or personal representative requesting an upgraded account for initial access to individually-identifiable health information within My Health_eVet (MHV). This includes guidance for Release of Information (ROI) staff, MHV Coordinators, or other assigned staff to perform identity verification. **AUTHORITY:** 38 U.S.C. 305(b), 7301(b).

2. BACKGROUND:

a. MHV is a web-based application that creates a new online environment where Veterans, family, and clinicians may come together to optimize Veterans' health care. Web technology will combine essential health record information enhanced by online health resources to enable and encourage patient/clinical collaboration and communication. MHV account users, who have had their identity verified to an upgraded account, may use the VA Blue Button to access electronic copies of their health information, such as Labs, Discharge Summary, Progress Notes, or Problem List and communicate electronically with their VA health care teams through Secure Messaging. To protect the privacy of Veterans and the integrity of VA records, VA verifies the identity of users of information systems.

b. The Privacy Act, Title 5 United States Code (U.S.C.) 552a, implemented by VA through Title 38 Code of Federal Regulations (CFR) 1.575-1.584, provides for the confidentiality of individually-identifiable information about living individuals that is maintained in a Privacy Act System of Records.

c. The Health Insurance Portability and Accountability Act (HIPAA), Public Law (Pub. L.) 104-191, implemented by 45 CFR Parts 160 and 164, establishes standards and requirements for the electronic transmission, privacy, and security of certain health information.

3. DEFINITIONS:

a. **Authentication.** Authentication is the process of establishing confidence in the identity of users of information systems. Verifying the identity of a user, process, or device, is a prerequisite to allowing access to resources in an information system.

b. **Individually-Identifiable Health Information.** Individually-identifiable health information is a subset of health information, including demographic information collected from an individual, that:

(1) Is created or received by a health care provider, health plan, or health care clearinghouse, (e.g., a HIPAA covered entity, such as VHA);

(2) Relates to the past, present, or future condition of an individual and provision of or payment for health care; and

(3) Identifies the individual, or a reasonable basis exists to believe the information can be used to identify the individual. **NOTE:** VHA uses the term *individually-identifiable health*

information to define information covered by the Privacy Act and the Title 38 confidentiality statutes in addition to HIPAA.

c. **Identity.** Identity refers to a set of attributes or traits (e.g., full legal name to include first, middle and last; date of birth; gender; and social security number) that uniquely describe a person within a given context.

d. **Identity Verification.** Identity verification is the process by which an authority collects and verifies information about a person for the purpose of validating the claimed identity. Identity can be verified either:

(1) **In-person.** A process that occurs in the presence of a VA-appointed representative; or

(2) **Remotely.** A process that occurs outside the physical presence of a VA appointed representative.

e. **Release of Information.** ROI is the act of providing copies of individually-identifiable health information to Veterans or third party requestors with legal authority.

f. **VA Form 10-5345a-MHV, Individual's Request for a Copy of Their Own Health Information.** A VA Form 10-5345a-MHV is the form signed by the Veteran or personal representative making a written request for copies of the Veteran's records to be delivered electronically through MHV.

4. SCOPE: VHA must verify the identity of the Veteran or a Veteran's personal representative when requesting an upgraded MHV account for initial access to individually-identifiable health information within MHV.

5. RESPONSIBILITIES:

a. **Medical Facility Director.** The medical facility Director is responsible for ensuring that ROI staff or other assigned staff understand their role and receive appropriate access and instructions on the use of the MHV Administrative Portal and the identity verification process.

b. **Facility Chief, Health Information Management.** The facility Chief, Health Information Management is responsible for training the ROI staff, MHV Coordinator, or other assigned staff to perform the identity verification process.

c. **My HealthVet Integrated Project Team.** The MHV Office of Information and Technology (OI&T) Product Development Team, under the direction of the MHV Program Office, is responsible for approving and maintaining the MHV Administrative Portal that facilitates the identity verification process.

6. IDENTITY VERIFICATION: To ensure that access to a Veteran's individual health information is granted only to appropriate individuals, every person initially requesting an upgraded MHV account access must have their identity verified. Identity verification may occur in-person or online (remotely) and is required prior to the initial granting of access to individually-identifiable health information. Once verified, an individual is able to access all

available health information in MHV from any VA medical facility at which the Veteran has been seen.

a. **Remote Identity Verification.** Under certain circumstances, Veterans may have their identity verified outside the physical presence of a VA-appointed representative, eliminating the need to visit a VA medical facility to complete the in-person verification process. Remote identity verification is currently available to VA patients with a VA-approved credential, such as Department of Defense Self-Service Logon Level 2 credential. Veterans completing the identity verification process remotely may download, complete, and sign VA Form 10-5345a-MHV or sign the VA Form 10-5345a-MHV electronically. The completed paper VA Form 10-5345a-MHV is mailed or delivered to the ROI Department of a designated VHA facility to complete the verification process for an upgraded MHV account. Upon receipt of the completed VA Form 10-5345a-MHV, the ROI staff, MHV Coordinator, or other assigned staff completes the MHV identity verification process. *Facilities accepting VA Form 10-5345a-MHV are listed on the MHV website at: http://www.va.gov/directory/guide/division_flash.asp?dnum=1.*

b. **In-Person Verification.** ROI staff, MHV Coordinator or other assigned staff must ensure, through the in-person verification process that the individual is given access to the right information. In-person verification can be performed in a VA medical facility, a Community-Based Outpatient Clinic (CBOC), or other location that is staffed with VA employees trained to perform identity verification and who have access to the MHV Administrative Portal. The in-person verification process may be performed at any VA medical facility, regardless of whether the Veteran has been a patient at that medical facility. To have his or her identity verified, the Veteran must:

- (1) Be registered as a VA patient or Veteran in MHV;
- (2) Be correlated to the Master Veteran Index (MVI);
- (3) Complete and sign VA Form 10-5345a-MHV; and
- (4) Present one form of State or Federal government-issued photo identification.

7. IDENTITY VERIFICATION FOR PERSONAL REPRESENTATIVES OF INCAPACITATED OR INCOMPETENT VETERANS:

a. Personal representatives, as defined in VHA Handbook 1605.1 Privacy and Release of Information, of Veterans who are incapacitated or incompetent and unable to act on their own behalf can obtain an upgraded account to access MHV on behalf of the Veteran.

b. The personal representative must submit to in-person verification by:

- (1) Going to an authorized VA medical facility, (*NOTE: A list of these locations is available at: http://www.va.gov/directory/guide/division_flash.asp?dnum=1*) and requesting in-person verification to obtain an upgraded MHV account;
- (2) Completing all of the prerequisites required as outlined in this Handbook;

(3) Presenting State or Federal government-issued photo identification for both the individual claiming status as personal representative and the Veteran to whose records access is requested;

(4) Presenting the respective legal document (i.e., court order or Durable Power of Attorney for Health Care) which grants the authority to act on behalf of the Veteran; and

(5) Sign VA Form 10-5345a-MHV on behalf of the Veteran.

c. All documents and requests for identity verification by the personal representative must be carefully reviewed by the facility Chief, Health Information Management, the Privacy Officer, or the ROI supervisor to ensure that the person requesting verification has the authority to do so on behalf of the Veteran. Copies of the legal documents provided by the personal representative must be scanned into Veterans Health Information Systems and Technology Architecture (VistA) Imaging along with the signed VA Form 10-5345a-MHV and retained per Records Control Schedule 10-1.