Initial Date: 08/28/2020
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Electronic Records & EMS Information System

I. **Responsibility for Records**
   A. Any PCR software utilized by an EMS agency must be compliant with the National EMS Information System (NEMSIS) system and the Michigan EMS Information System (MIEMSIS) as determined by the department.
   B. All PCR are considered confidential medical records and must be treated in accordance with state and federal law.
   C. Signed electronic or paper PCR shall be maintained by the EMS agency as the official medical record for each patient treated and/or transported.
   D. All original PCR reports will be made available to the receiving facility, the MCA and the Bureau of EMS, Trauma and Preparedness, in electronic format, upon request.

II. **Submission to MIEMSIS Data Repository**
   A. All agencies must transfer data at least monthly. Reporting period begins at 00:00:01 hours on the 1st day of the calendar month, ending at midnight on the last day of the calendar month. Data must be uploaded by the 15th of the month following the close of the reporting period. MCAs may require data to be transferred more frequently.
   B. Agencies performing invasive skills (including supraglottic airways) must transfer data at least daily. PCR that include invasive skills will be available in MIEMSIS within 24 hours of incident completion.
   C. If technology permits, transfer should occur at the time of incident completion.
   D. Agencies are responsible to work with their MCA(s) and the department to ensure that the quality of the data submitted to the MIEMSIS repository is an accurate reflection of the information entered into their EMS information system. Agencies are responsible for ensuring accuracy in data element mapping, accuracy in data value coding, list compliance, and accuracy in data transfer between the vendor and the MI-EMSIS system. Agencies may access MIEMSIS to verify the submission of their records at any time.
   E. Agencies entering data from paper PCR after-the-fact are responsible for entering those PCR in accordance with the above time frames.
   F. All PCR transferred to MIEMSIS must be compliant with the Michigan Required Elements.
   G. All PCR transferred into MIEMSIS will use values from Department provided lookup lists.

III. **Utilizing Data**
   A. The MCA professional standards review organization (PSRO) will utilize data submitted by the life support agencies for the purpose of providing professional oversight and for improving the quality of medical care within the MCA region.
   B. MCAs may utilize aggregate data that does not identify the patient or agency to support EMS system and public health activities.

C. MCAs may choose to maintain its own repository and in turn submit the data to the Department of Health and Human Services.
D. The information accessed by the MCA is confidential in nature and is intended for the medical control PSRO. Data protection is critical and is provided for through 1967 PA 270, MCL 331.531 to 331.533, other applicable confidentiality laws, and use and user agreements. The MCA will:
    1. Only use or disclose data for the purposes described in Part 209 of the Public Health Code and the Michigan Administrative Code R 325.22101 through R 22217. Any other uses or disclosures will be made only as required by applicable laws.
    2. Use appropriate safeguards to prevent use or disclosure of the information other than as provided by this agreement.
    3. Limit access to the data to only those employees assigned to perform the functions under the above statute and administrative rules and who have signed a data user agreement on file with the Department.
    4. Report any actual or suspected breach, intrusion, or unauthorized use or disclosure to the Department and the affected life support agency within 10 days of becoming aware of such breach, intrusion, or unauthorized use or disclosure or such shorter time period as is reasonable under the circumstances.
    5. Mitigate the effects of any breach, intrusion, or unauthorized use or disclosure.
    6. Notify the Department when anyone with a signed user agreement and access to data systems leaves their position. Notification should occur within 24 hours.
    7. Comply with the Michigan Identity Theft Protection Act notification procedures at MCL 445.61 et seq.
    8. As a public body subject to the Freedom of Information Act (FOIA), redact all personal identifiers or other information pursuant to applicable FOIA exemptions. 1976 PA 441: MCL 15.231 et seq.

E. **CARES Data**
    1. The LSA will submit data for out-of-hospital cardiac arrest (OHCA) patients to the Cardiac Arrest Registry to Enhance Survival (CARES).
    2. If multiple agencies are on scene the transporting agency is responsible for CARES data entry.
    3. The agency completing the CARES record will collect applicable CARES dispatch elements.

F. **Confidentiality**
    1. The EMS patient care record is a confidential patient care document and is not to be released to anyone other than those involved in the patient's care or Professional Standards Review Organization, without the patient's written release of information permission.