Patient Portals

By Julie Loomis, RN, JD

At SVMIC, we're often asked if a practitioner can utilize the patient portal to notify patients of lab/test results that are normal and require no follow-up. The short answer is yes, you can use your patient portal to communicate lab/test results that are normal, require no immediate attention and are not of a sensitive nature provided you have the patient's consent and verification that the patient accesses the portal. *Any abnormal or unexpected result or a result requiring immediate action should not be posted to the portal until the patient is personally notified.*

The patient portal is a valuable practice management and even patient safety tool if utilized in the most appropriate and diligent way. Consider the following scenario: A patient with a remote history of breast cancer went in for her mammogram and was electronically notified of new results posted to her patient portal. Unfortunately, the mammogram identified a probable malignancy and the patient learned about the recurrence of breast cancer by checking her secure patient portal before the physician discussed the results with her. This lack of personal communication can set the stage for strained physician/patient relationships.

Use the following tips to manage results via the patient portal:

If you have confirmed that a patient has accessed the portal previously, it should be sufficient to notify patients of lab/test results via a patient portal, provided that the patient:

- has been educated on use of the portal,
- signed a written consent or electronically agreed to receive information via the portal,
- the results are normal ("normal" is a medical judgment call), and
- and the results do not contain sensitive information (e.g. STD, pregnancy, HIV, hepatitis, etc.) or require immediate action.

If you have an indication that the patient does not access results, other methods of communication will need to be utilized such as a phone call or a letter mailed First Class. The key difference between a letter being sent via First Class mail (regular "snail mail") and any form of electronic communication, including patient portal, is that there is a legal presumption the intended recipient received the letter when it is sent via First Class mail through the U. S. Postal Service. However, this presumption may not exist when the information is sent electronically. That is why we recommend that if a practice cannot speak directly with a patient after two (2) phone attempts, the information should be mailed to the patient. So long as the letter is correctly sent to the address provided by the patient, a court will presume that the patient received the letter and the practice took the necessary

steps to sufficiently notify the patient. Patient portals are useful for engaging patients when personal interaction is not a necessity, but the portal is not a substitute for in-person communication when indicated.

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