



# Joint Commission Okays Texting of Patient Orders

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The Joint Commission recently announced a change in its policies whereby it will now allow providers to communicate patient orders via text message. The policy applies to all Joint Commission accreditation programs. While the change in policy by the Joint Commission provides added flexibility to physicians and other health care providers, there are several items that should be considered prior to adopting such practice on a day-to-day basis. In other words, before you hop on your cellphone and start texting patient orders through your "messages" app, there are a few things you should know regarding the Joint Commission's change in policy.

The Joint Commission's new policy allows health care providers to text orders, as long as such is done in accordance with applicable professional standards of practice, laws, regulations, policies and procedures. Further, a secure text messaging platform must be used. A secure text messaging platform is one that includes the following features: secure sign-on process, encrypted messaging, delivery and read receipts, date and time stamp, customized message retention time frames, and specified contact list for individuals authorized to receive and record orders. Standard text messaging through your "messages" app will not currently satisfy these requirements. In addition, keep in mind that any platform chosen will also need to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), the Health Information Technology for Economic and Clinical Health, and their implementing regulations. (As an aside, you will need a Business Associate Agreement in place with the platform vendor if such vendor has the capability to access patient information.)

In order to be deemed sufficient, the text order must include the required components of an order as set forth in the Medication Management Standard MM.04.01.01. Correspondingly, policies and procedures should be implemented to specify how text message orders will be dated, timed, confirmed, and authenticated by the ordering provider. In drafting policies and procedures, providers should give some thought as to how to document orders sent via text message in the patient's medical record. Assuming the capabilities from a technology standpoint are available (and they are through certain systems), the secure text messaging platform could integrate directly with the electronic medical record, thereby avoiding the need for additional entry and/or work by the ordering and receiving providers. However, if such capabilities are not available, the text message order will need to be entered manually into the medical record.

Those organizations that allow the text messaging of patient orders should take the following steps:

- Develop a risk management strategy and conduct a risk assessment. This is a requirement of HIPAA anytime you have an electronic system transmitting or maintaining patient information. Revise your HIPAA Compliance Plan and draft your policies and procedures accordingly.

- Define through policy when text orders are or are not appropriate and the procedures for utilizing text messages for orders.
- Educate providers on applicable policies and procedures.
- Develop a provider attestation documenting the capabilities of the secure text messaging platform and requiring the provider to agree to the organizations' policies and procedures regarding text messages.
- Monitor the frequency of use.
- Assess compliance by providers with your texting policies and procedures.

If used properly, allowing the use of text messages within the health care arena should free up valuable time for providers, increase response times, and improve outcomes for patients. However, the benefits that stem from the use of text messaging must be achieved in a manner that protects and secures patient privacy. The Joint Commission's recent guidelines are designed to accomplish just that.

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