

# Patient portals: what are the health equity considerations?



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Patient portals have huge potential to help patients engage with their own healthcare. But portal providers need to make sure they provide equal access to patients across society.

## What are patient portals?

**Patient portals, or personal health records, provide patients with secure online access to their medical records. Many also offer interactive features, such as appointments, prescription reordering and uploading information from personal tracking devices.**

There are three main types of patient portal:

- Patient portals offered by a healthcare provider, linked to the provider's electronic health record (EHR).
- Patient portals provided by health insurers and healthcare schemes for their covered members, typically linked to their health information systems.
- Untethered or free-standing patient portals.

## How are patient portals used?

Patient portals allow people to self-service and research their own health issues. They are part of a growing global trend towards patient engagement and activation, helping people to participate in their own health decision making. Many countries have been encouraging patients to access their health records with the aim of:

- Increasing patient compliance with treatment and improving clinical outcomes.
- Enhancing patient-provider communication and relationships.
- Keeping patients more informed.

## How could patient portals affect health disparities?

Because of their role in engaging patients with their healthcare, patient portals are often seen as tools to help reduce health inequality. For example, they can help people who might have limited access to hospital-based healthcare to manage their conditions at home.

However, patient portals could exacerbate or create disparities if they are not designed and implemented in ways that take account of digital determinants of health in the entire patient population, particularly among disadvantaged and vulnerable people.

## What are digital determinants of health?

Digital determinants of health are factors that can affect access to digital healthcare and patient outcomes, including:

- Differing abilities in literacy, health literacy, numeracy or digital skills.
- Varying language proficiencies.
- Accessibility needs.
- Low trust of the healthcare system.
- The digital divide between those that have access to computers and those who don't.
- The 'grey' digital divide between younger digital natives and some older people who lack skills in digital media.
- Personal beliefs about the potential for digital health to help or hurt.
- Values and cultural norms.
- Integration of digital resources into community and health infrastructure.

## How might patient portals impact liability?

COVID-19's impact on socially disadvantaged groups has highlighted potential health disparities in many countries. With digitisation accelerating, there is likely to be more discussion around the ethics of digital health which could include an examination of possible health inequalities. In this context, the design, implementation, or use of patient portals could come to be regarded as discriminatory if they have the effect of excluding or disadvantaging particular groups.

## Is digital health equity protected by regulation?

Currently, there are no specific regulations regarding digital health equity. However, the right to health and the foundational components of non-discrimination and equity are enshrined in international treaties, such as the International Covenant on Economic Social and Cultural Rights (ICESR). Regulatory frameworks in major markets include:

### U.S.

- Patient non-discrimination protected within Section 1557 of the Affordable Care Act.

### UK

- Direct discrimination unlawful under the Equality Act 2010.

### Europe

- A variety of individual EU member state equality treatment principles.

### Australia

- A variety of general anti-discrimination bills, on issues such as age, race, disability and sex.

## Key considerations for patient portal providers

### Has the portal been designed together with patients?

Healthcare providers should take an equity-minded approach to all stages of design, implementation, use and governance of patient portals to avoid deepening health disparities.

User-centred design approaches, such as co-creation and usability testing, can help you get buy in from relevant groups.

### Have you planned with health equity in mind?

Using an ehealth equity implementation framework can help you address potential issues and avoid unintended consequences.

### Have you assessed the ehealth literacy of your patients?

Health literacy-specific heuristics and staff training can help you ask the right questions and get a better understanding of your patients' digital needs.

### Do you have the right governance structures?

Good governance around data access and use is essential, for example, to protect the rights of minors and vulnerable adults.



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WTW-HP-2021-0561B FPS2348788

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