

Texas Health Services Authority

Collaboration Council Meeting

November 11, 2011

10:00 am

Meeting Agenda

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|---------------|--|
| 10:00 – 10:05 | Call to Order, Welcome and Introductions, and Announcements |
| 10:05 – 10:10 | Approval of October 14, 2011 Collaboration Council Meeting Minutes |
| 10:10 – 10:40 | Toward an Affordable, Sustainable, and Measurable Marketing Strategy |
| 10:40 – 10:55 | Texas HIE Privacy and Security Guidance Update and Discussion |
| 10:55 – 11:10 | Local HIE Grant Program Update |
| 11:10 – 11:25 | White Space Program Update |

Meeting Agenda

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| 11:25 – 11:35 | THSA HISP Census RFI Update |
| 11:35 – 11:45 | THSA Website Redesign |
| 11:45 – 11:55 | THSA Task Force Reports |
| 11:55 – Noon | Future Meeting Schedule/Other Items/Future Agenda Items |

Meeting Minutes

Presented by: Tony Gilman, THSA CEO
THSA Collaboration Council Meeting
November 11, 2011

Toward an Affordable, Sustainable, and Measurable Marketing Strategy

Presented by: Andrew Barlow, Founder and
Managing Director, Overflow Communications

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Texas HIE Privacy and Security Guidance Update

Presented by: Jocelyn Dabeau, THSA General Counsel,
and Eric Heflin, THSA Chief Technology Officer
THSA Collaboration Council
November 11, 2011

- Revised based on draft Restatement 1 of Data Use and Reciprocal Support Agreement (DURSA).
- Maintained as much as possible from DURSA, to facilitate eventual connection to NwHIN exchange
- Plan to release for public comment
- December 9, 2011 THSA Board Meeting

- Focus of Trust Agreement on relationship between Participants
- THSA vendors removed as Parties
- THSA included as a Party only for administrative and enforcement purposes
 - Breach Notification
 - Dispute Resolution
 - Suspension or Termination of Participants
 - Development and Amendment of Operating Procedures
 - Maintenance of Performance and Service Specifications
- THSA to receive no PHI or Proprietary Information under Trust Agreement

- Treatment of the individual who is the subject of the Message;
- Payment activities of the Health Care Provider for the individual who is the subject of the Message.
- Certain Health Care Operations
- Public health activities and reporting as permitted by Applicable Law
- To demonstrate meaningful use of certified electronic health record technology
- Uses and disclosures pursuant to an Authorization provided by the individual as described HIPAA Regulations

- HB 300 requires a separate authorization for electronic disclosure from a covered entity to another covered entity for anything but TPO, HMO or certain insurance purposes, or as otherwise authorized or required by law
- HB 300 prohibits the sale of PHI
- State and Federal Law provide additional restrictions with respect to certain types of sensitive PHI
- Minimum necessary still applies where applicable

- A type of information exchange service(s) enabled by the Specifications
- Operating Policies and Procedures to identify the Transaction Pattern(s) and the Specifications required to implement each Transaction Pattern
- Transaction Patterns may be amended through amendment of the Specifications and the Operating Policies and Procedures
- Only have to comply with i) the Specifications for the specific Transaction Pattern utilized and ii) the Specifications applicable to all Transaction Patterns

- System Access Policies
 - Autonomy Principle
 - Identification
 - Authentication
- Enterprise Security
 - No malicious software
 - Ability to audit system
 - Minimum requirement to exchange for treatment purposes
 - Statewide Collaborative Policy Development Process to be used to develop and update requirements outside of HIPAA/HITECH and Applicable Law

Draft Trust Agreement Additional Provisions

- Breach Notification – 1 hour notification of potential breach; 24 hours for providing specific details regarding breach
- Agreements with Participant Users
 - THSA intends to provide Best Practices recommendations for privacy and security policies to use in agreements with Participant users
- Agreements with Technology Partners
- Representation of Data Accuracy
- Submitter's warranty of Authority to Transmit Data
- Disclaimers for Incomplete Medical Records
- Disclaimer regarding substitution for Patient Care

- Warranties
 - Other than as specifically provided regarding Message Accuracy, all Message Content provided “AS IS”
 - Disclaimer by Participants regarding errors in transmission and loss of service caused by third parties such as telecommunications carriers
 - Disclaimer by THSA regarding Specifications and Operating Procedures
- Liability
 - Each Participant responsible for its own actions
 - Limitation of Liability for THSA
- Include Indemnification?
- Dispute Resolution

Local HIE Grant Program Update

Presented by: Tony Gilman, THSA CEO
THSA Collaboration Council Meeting
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Local HIE Grant Program

Current Status

- Quarterly Progress Reports
- 7 HIE Business and Operational Plans Reviewed in October 2011
- 2 HIE Business and Operational Plans Approved in September 2011
 - Healthcare Access San Antonio
 - Integrated Care Collaboration

Next Steps

- Auditing Provider Commitment Reports Submitted in October (40% of hospitals and physicians targeted)
- HIE Business and Operational Plans
 - 4 due in November
 - 3 due in December
- All HIEs Moving into Operations by January 2012

White Space Program Update

Presented by: Tony Gilman, THSA CEO
THSA Collaboration Council Meeting
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State HIE Update

White Space Strategy

Current Status

- Tentatively Qualified Six (6) Organizations
 - GSI Health;
 - Harris Healthcare Solution;
 - Inpriva;
 - Sandlot;
 - Secure Exchange Solutions; and
 - Surescripts.
- Developing HISP Agreement and Addressing Implementation Policy Questions

Next Steps

- Launch White Space Web Page and Provider Voucher Number Request Process
- Soft Communications Campaign through THSA and State-Level Professional Associations to Inform Providers of White Space Strategy and Voucher/Payment Process
- Timeline: November – December 2011

Update on HISP Agreement

- Policy Issues
 - Issuance of THSA CP based on Direct CP
 - HISP to issue their own CP/S that supports THSA CP
- Technical Issues
 - Certificate Policy Binding
 - Certificate Authority Services
 - Registration Authority Services
 - Specifications and Requirements

THSA HISP Census RFI

Presented by: Steve Roddy, THSA Associate Director of
Policy and Planning
THSA Collaboration Council Meeting
November 11 2011

- **Purpose:**
Collect a list of organizations, in addition to White Space qualified HISPs and Local HIE Grant Program HIEs, planning to offer Direct-compliant connectivity services; make list available to hospitals and health care practitioners throughout the state
- **Process:**
 - Issued RFI with attached questionnaire October 12, 2011
 - Distributed via stakeholders and website
 - Guidance to Local Grant Program HIEs and White Space qualified HISPs
 - Response deadline of October 28, 2011
- **Response:**
 - Received 17 responses by deadline
- **Next Steps:**
 - Assess and evaluate responses
 - Present findings to Collaboration Council and THSA Board

THSA Website Redesign

Presented by: Steve Roddy, THSA Associate Director of
Policy and Planning
THSA Collaboration Council Meeting
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THSA Web Site Re-design

- **Goal:** Re-design the THSA's web site to be a resourceful and informative site for consumers/patients, health care providers, and other stakeholders. The web site should also serve as a tool for marketing the value of HIE to consumers/patients and key health care providers, with a particular emphasis on hospitals and physicians.
- **Timeline:**
 - Statement of Work released to 13 organizations on September 29; Responses due by October 17
 - Following thorough evaluation process, the THSA has selected a vendor and will announce it following a final contractual agreement
 - Goal is to complete the web site re-design to be completed by February/March 2012.

THSA Task Force Reports

Presented by: Steve Roddy, THSA Associate Director of Policy and Planning
THSA Collaboration Council Meeting
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Data Standards and Technical Architecture Task Forces

- **Staff Lead:** Tony Gilman, CEO, THSA; Eric Heflin, Chief Technology Officer, THSA
- **Purposes:**
 - Data Standards - To support the secure, interoperable exchange of health information among unaffiliated organizations by providing input on the development of technical standards, data exchange standards, and technical security standards, and the development of implementation specification requirements.
 - Technical Architecture - Provide input on the implementation of a hybrid architecture that supports a network of networks, linking local HIE networks together, linking local HIE networks to state agencies, and ultimately linking state networks among each other and to the Nationwide Health Information Network. Support the development of a six-year enterprise architecture blueprint.
- **November 1 Joint Meeting:**
 - State Local HIE Grant Program and White Space Update
 - Federal Update
 - HISP Agreement Update and Discussion

Privacy and Security Task Force

- **Staff Lead:** Steve Roddy, Associate Director of Policy and Planning; Jocelyn Dabeau, General Counsel, THSA
- **Purposes:** To provide input on the development of privacy and security policies and standards that protect the privacy of patients involved in statewide HIE to the highest legal standard while enabling the secure exchange of health information. The task force will support ongoing analysis of a legal framework for the State of Texas.
- **November 2 Meeting:**
 - State Local HIE Grant Program and White Space Update
 - HISP Agreement Update and Discussion
 - Draft Trust Agreement Update and Discussion

Provider and Consumer Engagement Task Forces

- **Staff Lead:** Steve Roddy, Associate Director of Policy and Planning
- **Purposes:** To provide input on the development of a communications and engagement plan to inform providers and consumer about HIE in Texas, including the development of education and outreach strategies.
- **November 2 Joint Meeting:**
 - THSA Website Redesign Update
 - State Local HIE Grant Program and White Space Update
 - Local HIE Profile Sheet Review and Discussion
 - HIT Public Opinion Focus Group Report

Future Meeting Schedule

Tentative Future Meeting Schedule

- Friday, December 2

Other items?

Future Agenda Items?

THSA



TEXAS HEALTH SERVICES AUTHORITY

Tony Gilman
Chief Executive Officer
Texas Health Services Authority
(512) 814-0321
tony.gilman@thsa.org
www.thsa.org