

**CT Health Information Technology and Exchange Advisory Committee**  
**Minutes – Regular Meeting**  
**Tuesday, October 27, 2009**

The first meeting of the CT Health Information Technology and Exchange Advisory Committee was held on Tuesday, October 27, 2009 at the Connecticut Department of Information Technology, 101 East River Drive, 1<sup>st</sup> Floor Conference Room, East Hartford, CT.

**Call to Order**

Warren Wollschlager, Chief of the Office of Research and Development at the Department of Public Health, called the meeting to order at 10:10 A.M.

**Voting Members Present:** Lt. Governor Michael Fedele, Thomas Agresta, M.D., Lisa Boyle, Susan Bruschi, Daniel Carmody, Peter Courtway, Kenneth Dardick, M.D., Nancy Kim, M.D., Mark Masselli, Josh Rising, M.D. Absent: Kevin Carr (Office of Healthcare Advocate)

**Non-voting State Agency Representatives:** Robert Galvin, M.D. (DPH), Meg Hooper (DPH), Rick Bailly (DOIT), Marcia Mains (DSS), John Gadea, Jr.(DCP), Barbara Parks Wolf (OPM), Kaila Riggott (OHCA/DPH)

**Other Attendees:** Warren Wollschlager (DPH), Marianne Horn (DPH), Denise Leiper (DPH), Jill Kentfield (DPH), Xaviel Soto (DCP), Rivka Weiser (DSS), Andrea Schroeter (DSS), Leah Barry (SMC Partners/eHealth CT), Rich Ramondetta (SMC Partners/eHealth CT), Sheila Gschwind (SMC Partners/eHealth CT), Michael Stelmach (John Snow, Inc.), Michael Varney (DOIT), Brooks Campion (Robinson & Cole, LLP), John Brady (CHA), Andrea Rynn (Danbury Hospital), Mag Morelli (CANPFA), Bryan Cafferelli (Lt. Governor's Office)

**Opening Remarks**

Dr. Robert Galvin welcomed all members to the newly created Advisory Committee. He explained that the Department of Public Health has been tasked with ensuring that the requirements of Public Act No. 09-232 are met. The forming of this Advisory Committee will facilitate this. The Department has experience in working with stem cell legislation that also required the creation of an advisory committee to oversee the granting of public funds and does so in a transparent manner. The actions of this Committee will also be transparent with meeting notices, minutes and transcripts being posted on a website.

**Introductions**

Members and agency representatives introduced themselves, stating what experience they have in the health information exchange and technology areas.

**Review of PA 09-232**

Marianne Horn, Director of Legal Services in the Office of Research and Development, reviewed the roles and responsibilities of the recent legislation:

- The Department of Public Health is the lead health information exchange organization for the state.
- The department shall seek private and federal funds, including funds made available pursuant to the federal American Recovery and Reinvestment Act of 2009, for the initial development of a statewide health information exchange.

- The department shall facilitate the implementation and periodic revisions of the health information technology plan, including the implementation of an integrated statewide electronic health information infrastructure for the sharing of electronic health information among health care facilities, health care professionals, public and private payers and patients, and develop standards and protocols for privacy in the sharing of electronic health information. Such standards and protocols shall be no less stringent than HIPAA. These standards and protocols shall require that individually identifiable health information be secure and that access to such information be traceable by an electronic audit trail.
- There is established a health information technology and exchange advisory committee. The committee shall consist of twelve members named in legislation along with their terms. Any member of the committee may be removed by the appropriate appointing authority for misfeasance, malfeasance or willful neglect of duty. Any member appointed to the committee who fails to attend three consecutive meetings or who fails to attend 50% of all meetings held during any calendar year shall be deemed to have resigned from the committee. The Department will track this and make members aware if they are near this point.
- Notwithstanding any provision of the general statutes, it shall not constitute a conflict of interest for a trustee, director, partner, officer, stockholder, proprietor, counsel or employee of any eligible institution, or for any other individual with a financial interest in an eligible institution, to serve as a member of the committee. All members shall be deemed public officials and shall adhere to the code of ethics for public officials set forth in chapter 10 of the general statutes. Members may participate in the affairs of the committee with respect to the review or consideration of grant-in-aid applications, including the approval or disapproval of such applications, except that no member shall participate in the affairs of the committee with respect to the review or consideration of any grant-in-aid application filed by such member or by an eligible institution in which such member has a financial interest, or with whom such member engages in any business, employment, transaction or professional activity.
- Duties of the advisory committee include advising the Commissioner of Public Health regarding implementation of the health information technology plan. The committee shall develop, in consultation with the Commissioner of Public Health, (1) appropriate protocols for health information exchange, and (2) electronic data standards to facilitate the development of a state-wide, integrated electronic health information system, examine and identify specific ways to improve and promote health information exchange in the state, including, but not limited to, identifying both public and private funding sources for health information technology.
- The Department of Public Health shall provide administrative support to the committee and shall assist the committee in all tasks. Not later than February 1, 2010, and annually thereafter until February 1, 2015, the Commissioner of Public Health and the health information technology and exchange advisory committee shall report on (1) any private or federal funds received during the preceding quarter and, if applicable, how such funds were expended, (2) the amount of grants-in-aid awarded to eligible institutions, (3) the recipients of such grants-in-aid, and (4) the current status of health information exchange and health information technology in the state.

Marianne Horn reviewed the requirements of public officials including providing them with the *2009 Guide to the Code of Ethics for Public Officials and State Employees*.

- Committee members are deemed public officials and must follow the State Code of Ethics. She encouraged all members to take the online ethics training for state officials on the Office of

State Ethics (OSE) website at:

<http://www.ct.gov/ethics/cwp/view.asp?a=2306&q=436048&ethicsNav=1>

- Members should be aware of the Code of Ethics provisions that are triggered when they are acting in their role as members of this Committee. There is also a requirement that members who are involved with the review of grants file a Statement of Financial Interests with the OSE. Additional information on this can also be found on the OSE website.
- The DPH is available to answer questions from Committee members regarding public inquiries and how best to handle media questions that may be asked of members regarding the Committee.
- Roberts Rules of Order will be followed during meetings.
- Meetings of the Committee are open to the public. Legal notice and meeting agendas are filed in advance with the Secretary of States' Office. Emails, discussing topics that are the business of the Committee, with members equaling a quorum, can be considered a meeting.

### **Section of Chairperson**

Members agreed that it is difficult to select a chairperson from the committee at this time since many members do not know one another. It was suggested that Warren Wollschlager be the Chair; however, he was unable to accept as he is not named to the Committee. With that being said, it was decided that DPH should Chair the meeting for the next few months and Dr. Galvin will assume this role as the Department's representative to the Committee.

**MOTION:** Upon a motion made by Dr. Dardick, seconded by Nancy Kim, the Advisory Committee members voted in favor of the Department of Public Health as Interim Chair for no longer than three months, when a Committee appointee can assume the role. **MOTION PASSED UNANIMOUSLY.**

### **Overview of Current Status of HIT Planning**

Meg Hooper, Chief, Planning Branch, Department of Public Health, explained that the Department has been involved with health information exchange initiatives for some time.

- Legislation was passed in 2007 which authorized the Department to contract, through a competitive bidding process, for the development of a statewide health information technology plan. After issuing an RFP, JSI Research was selected to develop a Health Information Technology Plan for Connecticut. The plan was developed through an extensive information gathering process involving many of the key stakeholders in Connecticut including some on this Committee. The plan includes recommendations on the implementation of health information technology and exchange in the state, descriptions of current regional and statewide approaches to using health information exchange, and an overview of e technical standards. While the plan provides a baseline for what is needed by the federal Office on the National Coordinator (ONC), it will need to be developed further to create a strategic and operational plan for health information technology and exchange, in order to receive ARRA stimulus funding. When the Plan was created, the federal guidance for completing a plan was not in place.

### **ARRA Grant Application**

Warren Wollschlager explained that the ONC announced two separate funding sources: the State Health Information Exchange Cooperative Agreement Program for which DPH, as the state's RHIO, was the only

eligible applicant, and the Regional Extension Centers Program which will be funding education and training. Reportedly, eHealth applied for these funds as the DSS endorsed applicant. Warren then presented on the DPH grant application.

- DPH’s application was submitted on October 16, 2009, requesting \$7.29 million over four years. The basic budget includes \$2.2 million in personnel (2.5 FTEs over 4 years including fringe and indirect costs); \$500,000 for Planning in Year 1; \$200,000 for Evaluation over 4 years; \$4 million for development and implementation of a health information exchange network; \$400,000 other expenses including support for the Advisory Committee, communications, outreach, stakeholder conferences, supplies.
- The federal response to the DPH grant application is due by December 15, 2009 with the award of funds on or after January 15, 2010.
- The basic strategy and time lines areas follow:
  - complete federally approved strategic and operational health information exchange plans by April 2010;
  - issue an RFP by May 2010 to build statewide capacity for a health information exchange network;
  - make award(s) to contractor by October 2010; and
  - design and implement a sustainable statewide HIE network by October 2011.

The immediate action steps needed are decisions on the development of strategic and operational plans, which can be accomplished in several ways:

- Issue an RFP (the contractual review process takes approximately 6-9 months from start to finish)
- Sole Source Contract (utilizing the entity who developed the original plan)
- The Committee develop the plan themselves.
- DOIT has an “approved vendor’s list” that has vendors involved with strategic planning
- CT Academy of Science and Engineering (DPH is able to work with them without a contract and they contract out to experts)

After discussion, it was stated that the Committee did not want to take on the project. Also, several members spoke in support of utilizing federal grant funds to contract for the development of the plans. Members did think that it would be worthwhile to look at other states including Vermont, Tennessee, New York, and Massachusetts although these plans may not be federally approved at this time.

### **Next Steps**

Due to time constraints and the need to review documents that are on the DPH website, it was suggested that the Committee meet in two weeks if possible. It was agreed that DPH would identify a date and time for the next meeting. It was requested that DPH identify documents sent electronically to Committee members, creating an electronic binder of materials.

### **Public Comment**

Rick Straus, Executive Director of the Connecticut Academy of Science and Engineering addressed the members and explained their services. They are a private, nonprofit, public service institution patterned after the National Academy of Sciences. The Academy identifies and studies issues and technological advances that are of concern to the people of Connecticut, and provides unbiased, expert advice on

science and technology related issues to state government and other Connecticut institutions. When needed, they contract with experts to finalize a project.

Michael Stelmach of JSI, Inc., addressed the members and provided a few comments about the state plan, about JSI, and the need to move forward.

**Adjourn**

With the unanimous consent of the Committee, the meeting was adjourned at 12:07 PM.