

Connecticut Information Technology and Exchange Advisory  
Committee Legal and Policy Subcommittee  
July 20, 2010  
Minutes

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**Attendance:** DPH Deputy Commissioner Norma Gyle, Jill Kentfield, Helen George, Michelle DeBarge, Ellen Andrews, Eric Knowles, Moses Vargas, Lisa Boyle, David Gladstone, Marianne Horn, Warren Wollschloger, Phyllis Hyman, Melissa Silvanic (DPH intern), John Lynch (via phone), Marcia Petrillo (via phone) and Lori Fourquet (via phone)

I. Opening Remarks

II. Discussion of Consent Options Draft

- Background of how the CT model was created through extensive research about other state systems
- The model was developed with a focus on privacy concerns, usefulness to providers, quality and efficiency of the system and the HIE surviving as a business
- Discussion about education being a significant challenge, but the key to a successful HIE
- Discussion of the CT model's compliance with HIPAA and its more stringent policies regarding consent for "sensitive" information, i.e. alcohol and substance abuse, mental health and abortion and where additional consent is required
- Discussion of the HIE remaining an evolving process

III. Public Comment

- Discussion of Consumer Advocate Concerns:
  - a. Patient education including the issues of language barriers, mental health and substance abuse barriers
  - b. Doctor concerns about not working with a "full" record in an emergency situation, but the CT model does have a "Break the Glass" portion
  - c. The "All-or-Nothing" approach which would occur if the model forced patient to choose to opt-in all information including sensitive information, or opt-out all information
  - d. The sharing of information between other doctors
  - e. Whether or not consumers are being properly heard
- Discussion of seeking to improve the process for having public comment
- Discussion of the status of the planning process with ONC and two additional public forums in August

IV. Next Meeting:

- **July 28 canceled**

- **Next date TBD**