

**Health Information Technology Exchange of Connecticut
Legal and Policy Committee
September 6, 2011**

Meeting Minutes

Present: in person: Lori Reed-Fourquet, Marianne Horn, Brenda Kelly; (by phone) John Lynch, Ellen Andrews, Jill Kentfield, Moses Vargas.

Discussion took place regarding the process for the public to review and comment on the proposed HITE-CT policies. Lori created a template for recording the comments. A notice will be posted in today's CT Law Journal and again on September 13. See pages 2 through 5 for the legal notices.

The L & P Committee will meet on Tuesday, September 20, and October 4th; 8:30-10 at BEST and to review and refine the policies and to hear and incorporate public comments. A meeting will take place on Tuesday, October 11, 8:30 – 10:00 AM for the Legal and Policy Committee to take a roll call vote on the final policies moving forward to the Board. Marianne will explore whether votes can be taken by proxy or e-mail.

Discussion addressed how comments will be tracked and full comments will be attached as an addendum so the original comment is not lost. Verbal comments will be written down.

John Lynch will discuss the policies at the September 19 Board meeting asking for feedback. Key issues to be raised at the Board were listed, including but not limited to: opt-in/opt-out; impact statement for each of the policies; trust is an issue; educational materials and ability to exercise opt-out when the time comes; need to demonstrate to consumers that there is a benefit such as an integrated PHR; important to coordinate policies so consumers and doctors have same information. The goal is to have Board members vote on the final version of the policies at the October 17th meeting. The Chair indicated that there needs to be an impact statement developed for each policy.

Concern was expressed regarding educating consumers on the policies and their rights. Consumer materials need to be prepared and printed prior to the projected GoLive date (currently projected for October 17). The budget is less than \$40,000 which makes consumer education difficult, although Mark Masselli has offered to assist with development of materials. Material can be sent to physicians to hand out to their patients. The mandate to present the patients with this statement should be written into the DURSA agreement. The issue of sanctions in the DURSA was discussed and needs further exploration.

Next meeting: September 20, 2011 8:30 AM – 10:00 AM will take place at BEST (formerly DOIT) and also use Go to meeting.

The meeting adjourned at 10:05 am.

Printed in the September 6, 2011 law journal:

NOTICE PRIOR TO ADOPTION OF PROCEDURES
HEALTH INFORMATION TECHNOLOGY EXCHANGE OF CONNECTICUT

Pursuant to section 1-121(a) of the Connecticut General Statutes, notice is hereby given that the Health Information Technology Exchange of Connecticut (HITE-CT) is proposing to adopt the policies outlined below for the implementation of a state-wide health information exchange under the authority granted to the HITE-CT by Chapter 368dd of the Connecticut General Statutes.

Proposed policies:

Audit Policy	<p>The purpose of the policy is to ensure that the security and confidentiality of patient data transmitted through HITE-CT is protected through privacy/security audits.</p> <p>Audit is defined as follows: systematic and independent examination of accesses, additions, or alterations to electronic health records to determine whether the activities were conducted, and the data were collected, used, retained or disclosed according to organizational standard operating procedures, policies, good clinical practice, and applicable regulatory requirement(s).</p>
Identity Management Policy	<p>The purpose of the policy is to ensure that the identities of the persons and entities interacting with HITE-CT are assured through the performance of tests to enable a data processing system to recognize entities (individuals or machines interacting with the HITE-CT system).</p>
Authentication Policy	<p>The purpose of the policy is to ensure that systems and persons interacting with HITE-CT system are known through the process of reliable security identification of subjects by incorporating an identifier and its authenticator.</p>
Access Control Policy	<p>The purpose of the policy is to define who and how individuals and systems can access HITE-CT managed data through a means of ensuring that the resources of a data processing system can be accessed only by authorized entities (individuals or machines interacting with the HITE-CT system) in authorized ways.</p>
Consumer Authorization and Consent Policy	<p>The purpose of the policy is to define the circumstances in which a consumer can permit or withhold disclosure of HITE-CT accessible health information.</p>
Consumer Principles Policy	<p>The purpose of the policy is to define consumers' and patients' expectations that will govern the design and implementation of health information exchange and technology in Connecticut.</p>
Breach Notification Policy	<p>The purpose of the policy is to define policy surrounding identification, investigation, notification, and mitigation of a breach. Breach is defined as a Reportable Event involving the unauthorized acquisition, access, use or disclosure of protected health information on the Connecticut Health Information Exchange which compromises the security or privacy of protected health information maintained by or on behalf of a person. Such term does not include a Reportable</p>

	Event where an unauthorized person to whom such information is disclosed would not have reasonably been able to retain such information. An example of a Reportable Event is a clinician sharing his/her user name and password with another clinician in the practice who had forgotten his/her own user name or password.
Purpose of Use Policy	The purpose of the policy is to define permissible uses of the HITE-CT information such as Patient Care, Public Health, and Quality.
Information security	The purpose of the policy is to ensure that the information security is conducted in a manner that protects personal health information and that supports the availability, confidentiality, integrity, and accountability of HITE-CT shared clinical information.
Affinity Domain Policy	This document describes the statewide standard interoperability requirements and specifications including standard content, identification schemes, vocabularies, systems and their interactions to be supported by the Connecticut Health Information Exchange (HITE-CT).

Interested persons wishing to present their views on these policies are invited to do so in writing within thirty (30) days of publication of this notice. Comments can be submitted electronically to Lori Reed-Fourquet, Interim Executive Director of HITE-CT at legal@hitect.org. Comments also can be mailed to Health Information Technology Exchange of Connecticut, Attention: Lori Reed-Fourquet, c/o Connecticut Department of Public Health, P.O. Box 340308, MS#13PBA, Hartford, CT 06134-0308. Comments can be made in person at the next meeting of the HITE-CT Legal and Policy Committee, which is scheduled to take place on September 20, 2011 at 8:30 AM at the State of Connecticut Bureau of Enterprise Systems and Technology (BEST), 101 East River Drive, East Hartford, CT.

The proposed policies may be found on www.ct.gov/dph under featured links "Health Information Technology Exchange of Connecticut" at Policies & Procedures, and copies of the proposed policies are available for public inspection at the Connecticut Department of Public Health, 410 Capitol Avenue, Hartford, CT during normal business hours. Contact Kate Winkeler at (860) 509-7117.

To be printed in the September 13 law journal adding the word Erratum to the heading so that people will know it's been revised:

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The proposed policies may be found on www.ct.gov/dph under featured links “Health Information Technology Exchange of Connecticut” at Policies & Procedures, and copies of the proposed policies are available for public inspection at the Connecticut Department of Public Health, 410 Capitol Avenue, Hartford, CT during normal business hours. Contact Kate Winkeler at (860) 509-7117.

The Health Information Technology Exchange of Connecticut will be voting to adopt these policies at their board meeting taking place on October 17, 2011 4:30 – 6:30 PM at the State of Connecticut Bureau of Enterprise Systems and Technology (BEST), 101 East River Drive, East Hartford, CT. The Board will receive final public comment before it votes to adopt the policies.