

VERBATIM PROCEEDINGS  
DEPARTMENT OF PUBLIC HEALTH

CONNECTICUT HEALTH INFORMATION  
TECHNOLOGY AND EXCHANGE

MARIANNE HORN, CHAIRPERSON

NOVEMBER 19, 2012

101 EAST RIVER DRIVE  
EAST HARTFORD, CONNECTICUT

POST REPORTING SERVICE  
HAMDEN, CT (800) 262-4102

RE: CT HEALTH INFORMATION TECHNOLOGY & EXCHANGE  
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1 . . .Verbatim proceedings of a meeting in  
2 the matter of Connecticut Health Information Technology  
3 and Exchange, held at 101 East River Drive, East Hartford,  
4 Connecticut on November 19, 2012 at 4:58 P.M. . . . .

5  
6  
7  
8  
9 CHAIRPERSON MARIANNE HORN: This is the  
10 Health Information Technology Exchange of Connecticut  
11 Board of Director's regular meeting for November 19th.  
12 And Commissioner Mullen is missing this evening and I  
13 think we'll just go around the table and have people say  
14 on the record who they are. We need one more person for a  
15 quorum, so we'll take those non-voting items first.

16 So I'm Maryanne Horn.

17 MR. BRUCE CHUDWICK: Bruce Chudwick,  
18 Shipman & Goodwin.

19 MR. STEVE CASEY: Steve Casey with the  
20 Department of Administrative Services, Bureau of  
21 Enterprise Systems and Technology.

22 MR. JOHN DeSTEFANO: John DeStefano,  
23 HITE/CT.

24 MS. CHRIS KRAUS: Chris Kraus, HITE/CT.

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1 MS. BRENDA KELLEY: Brenda Kelley, Consumer  
2 Representative.

3 MS. ANGELA MATTE: Angela Matte, Quinnipiac  
4 University, Public Health Representative.

5 MR. MARK HEUSCHKEL: Mark Heuschkel,  
6 Department of Social Services, representing Commissioner  
7 Bremby.

8 MS. BARBARA PARKS-WOLF: Barbara Parks-  
9 Wolf, Office of Policy and Management.

10 MR. DAN CARMODY: Dan Carmody, HITE/CT.

11 CHAIRPERSON HORN: Okay, the Commissioner  
12 is out of town so I'm standing in for her. We'll skip  
13 over the HITE/CT 10/15/12 meeting minutes because we need  
14 a vote on that. Is there any Board business we can  
15 discuss without needing to have a motion?

16 MS. KRAUS: I can give the Treasurer's  
17 report.

18 CHAIRPERSON HORN: Okay.

19 MS. KRAUS: Okay, so everyone should have  
20 gotten the Treasurer's report by e-mail. We can start  
21 with the balance sheet. We have about \$672,000 in our  
22 bank account. Our accounts payable is about \$2.5 million,  
23 and that includes the unpaid bills to Axway because this  
24 is done on an accrual basis. Our total equity is a

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1 negative \$1,876,952.55. If you go to revenue and  
2 expenses, this is until October -- these are all through  
3 October 31st. Our grant payment we received was \$292,250  
4 and our total expenses if you go toward the bottom, once  
5 again, this does include the bills that we've received.  
6 It's \$2.24 million giving a net operating income of a  
7 negative \$1.948 million.

8 So it was requested that we do a cash flow  
9 -- oh, unpaid bills are exactly the same as last time  
10 around. And these are all owed to Axway that we are in  
11 current negotiations with, so we owe them \$2,548,620.50.  
12 As requested, I provided you a cash flow. This is a  
13 barest bone cash flow projection and you'll see actual  
14 costs. It goes from July 1st, the start of the fiscal  
15 year, through January. So the actual costs are listed for  
16 July, August, September and October of this year. And  
17 these are the actual transactions that occurred, the money  
18 that was spent in each of those categories that were  
19 rolled up.

20 And then in the bottom I included the  
21 unpaid bills, so that's outstanding. And then projected,  
22 I have projected costs through January and these are very,  
23 very basic costs. It does not include any projects going  
24 forward, so we have about \$672,000 in the bank. Come

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1 December that will go down to about \$629,000, and January,  
2 \$592,000. Does anyone have any questions? And what I'll  
3 do is each month I'll put the actuals in and then we can  
4 see what the gap is.

5 MS. MATTIE: I have a question.

6 MS. KRAUS: Sure.

7 MS. MATTIE: So in January we have  
8 \$592,000. What do we anticipate as revenue from the  
9 government or --

10 MS. KRAUS: That won't kick in -- we  
11 actually have another great grant payment as of December  
12 31st, but it typically takes about two months to get. So  
13 what happens is, I have to send a report in and then they  
14 have to decide if it meets their criteria and then once  
15 it's approved we get the payment. So even though it says  
16 December 31st, we find it takes about two months. So if  
17 you go out to February, I've actually put in our next  
18 payment.

19 MS. KELLEY: And how much will that be for?

20 MS. KRAUS: I think it's another \$292,000.

21 MS. MATTIE: How much are operating  
22 expenses per month?

23 MS. KRAUS: Well, you can look down here.  
24 The operating expenses vary, so that's under total

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1 expenses so we're running like \$30,000 to \$40,000 a month,  
2 about \$35,000 right now bare bones. Sometimes you might  
3 have more than two pay periods in a month, so it makes it  
4 look a lot more -- it depends on when it's documented in  
5 the month.

6 MS. MATTIE: And when we submit, what is  
7 it, quarterly reports to the federal government?

8 MS. KRAUS: To -- our grant reports?

9 MS. MATTIE: Yes.

10 MS. KRAUS: Ahum.

11 MS. MATTIE: And have there been any  
12 comments on those reports? They've already --

13 MS. KRAUS: They've all been approved to  
14 date.

15 MS. MATTIE: -- approved to date.

16 MS. KRAUS: So what we have to do is do a  
17 quarterly report based on what our grant allowances are  
18 and how much we've actually spent.

19 MS. MATTIE: Thank you.

20 MS. KRAUS: You're welcome. Any other  
21 questions? Oh, I have one other thing for other business.  
22 I had sent out a survey -- a monkey survey asking people  
23 when they wanted to meet. Let me just get my notes. I  
24 have too many things here..

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1                   Basically what happened is most people  
2 really liked the Monday slot at this exact same time.  
3 There was no actual preference -- oh here it is, okay.  
4 There was no preference on which week of the month, but  
5 you seemed to like this. One of the issues is  
6 Commissioner Bremby, who we would like to have here,  
7 cannot attend on Mondays, and Dr. Mullen can only meet on  
8 Mondays and Thursdays. So I'm not sure if you want to  
9 think about it but we need to schedule meetings for  
10 January so I can book the room.

11                   MR. CASEY: So Thursday would be good for  
12 both Commissioners?

13                   MS. KRAUS: Yes.

14                   MR. CASEY: Maybe we should consider if  
15 there is any flexibility in our schedule.

16                   MS. MATTIE: I'll just have to go on  
17 record, I'm teaching Thursdays at the Law School Thursday  
18 afternoons. The Commissioners are much more important  
19 than I am.

20                   CHAIRPERSON HORN: And would your class go  
21 over the 4:30 to 6:30 time or is there a time you could  
22 call in perhaps?

23                   MS. MATTIE: I think I'm teaching 3:00 to  
24 5:30. I'd have to check that, but I think that's the

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1 time.

2 MS. KRAUS: Ron Buckman also can't make it  
3 on Thursdays or Mondays and he had noted that he would not  
4 renew his appointment unless we can make it a night that  
5 he could make it here.

6 CHAIRPERSON HORN: Hello?

7 MR. DEMIAN FONTANELLA: Hi, it's Demian  
8 Fontenalla.

9 MS. KRAUS: I think he's not -- is he a  
10 voting member?

11 CHAIRPERSON HORN: Welcome, we're just  
12 getting started with items that we can do without having  
13 to take a vote on them. So thanks for joining us.

14 MR. FONTANELLA: My pleasure, sorry I'm  
15 late.

16 MS. KRAUS: So I'm not sure how you want to  
17 proceed on scheduling the meetings.

18 CHAIRPERSON HORN: Was there any interest  
19 in having a meeting at a different time of day?

20 MS. KRAUS: It was interesting, there are a  
21 group of people that did like it during the day but there  
22 wasn't a consensus. Seventy three percent -- or 80  
23 percent actually liked it at the end -- oh no, 61 percent  
24 liked it at the end of the day. So there were a lot

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1 people that couldn't make it during the day compared to  
2 after work. So I'm not sure how you want to proceed, do  
3 you want to go back and check your calendars? I could  
4 send an e-mail note out if you want to check Thursdays.

5 MR. CARMODY: Well, why don't you do that  
6 and just send the results out what you found?

7 MS. KRAUS: Sure.

8 MR. CARMODY: And then -- you know, I mean  
9 it doesn't sound like there's a big consensus to change  
10 the date. So I would probably just look at it as keep the  
11 date the way it is.

12 MR. CHUDWICK: Before next month's meeting  
13 there should be an agenda item as Chris said to set the  
14 regular meeting schedule for 2013, so that we file with  
15 the Secretary of State's office in accordance with FOI.

16 MS. KRAUS: Okay.

17 MR. CARMODY: Well, why don't we just make  
18 it as an action item and then just say that that's what  
19 we're going to do. And then if people want to make it  
20 another date, you want to come away and do something  
21 different, then I'd put that as an action item that we  
22 need to vote on.

23 MR. CHUDWICK: Ahum.

24 CHAIRPERSON HORN: Hello?

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1 MS. KRAUS: For next week -- next meeting?

2 MR. CARMODY: Yeah, next meeting. So I'd  
3 say here's the results, this is what we found, and then do  
4 a conclusion. Here's the motion and then if people want  
5 to vote against it or modify it, it will drive a  
6 conversation.

7 MS. KRAUS: Okay.

8 CHAIRPERSON HORN: Did somebody just join  
9 us? Hello?

10 MS. KRAUS: Is Demian still there?

11 CHAIRPERSON HORN: Demian, are you still  
12 on? We lost Demian.

13 MS. KRAUS: Well, maybe his cell phone cut  
14 off. I'm sure he'll call back.

15 CHAIRPERSON HORN: I was getting very  
16 excited, I thought we might have a quorum. The small  
17 things in life. Okay, so we're having that on the agenda  
18 for next month.

19 Number four, HITE/CT Agency business. The  
20 CTO report?

21 MR. DeSTEFANO: So we continued to state  
22 ways that we can fulfill our ONC requirements around  
23 directed exchange and community participation. And there  
24 have been a number of avenues that we have investigated

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1 and have some to report on. Really that's, you know,  
2 primarily what we've been talking about the past month.

3 MR. CARMODY: Did we get any of the -- I  
4 remember last month we had some physicians that we were  
5 bringing on. What, it was like 100 or something like  
6 that, that was possible. And did we -- that we actually  
7 executed?

8 MR. DeSTEFANO: We have not executed  
9 because we shut the pilot down. So we looked for other  
10 alternatives, just different ways that we might be able to  
11 accomplish this. We continue to work on the DSS IAPD  
12 grant and, you know, hopefully that will be approved. We  
13 have been in discussion with DPH around the immunization  
14 registry and how we can set up a pilot to make that  
15 happen. I've talked to CHA, the Hospital organization,  
16 and hopefully we'll get some participation around that  
17 immunization pilot there.

18 And hopefully -- you know again, with some  
19 participation from our community stakeholders we hopefully  
20 will be able to set up a pilot and get the immunization  
21 requirements for those pilot participants done around  
22 immunization and along with that hopefully develop a model  
23 that others can use to plug in and move the immunization  
24 data to DPH. So that is the extent of my report.

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1                   CHAIRPERSON HORN: Other business. Do you  
2 want to take that phone and -- well, we don't have anybody  
3 on the phone, so.

4                   MS. KRAUS: I can talk about in-kind  
5 statements. So I e-mailed everybody in-kind statements.  
6 I do apologize for those of you who got two of them. I  
7 didn't realize that state employees had different  
8 contribution rates. So for those of you -- I did print  
9 them out if you could take a look at them and see if they  
10 match what you think -- you know, where you attended. If  
11 there's any changes please let me know.

12                   I found out that these have to be submitted  
13 quarterly, I thought it was yearly, so you will be getting  
14 quarterly reports from me that you'll have to send back  
15 and sign. Okay, do you want me to explain about the 401K  
16 and 401A?

17                   CHAIRPERSON HORN: Yes, please.

18                   MS. KRAUS: Alright. I've mentioned at  
19 previous meetings that we discovered as a quasi public  
20 agency that we were not eligible to have a 401K, which had  
21 been set up by Paychex. So I've been working with Rich  
22 Cohen, Shipman & Goodwin, and he's helped me with all the  
23 paperwork. Our first step was we needed to freeze the  
24 401K. We have stopped all employer and employee

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1 contributions as of October 26th, so that's already done.

2           The next step was to determine how John and  
3 I could then contribute to a retirement plan. So we're  
4 already approved to participate in the State 457B plan.  
5 So John and I signed up with them and we can make our  
6 employee contributions. Unfortunately we probably can't  
7 max it out because we only have until the end of the year,  
8 so moving forward it should be better. So we set that up,  
9 we've made our first contribution, so that's great. Rich  
10 Cohen has helped me with the IRS correction form, so  
11 basically there is a penalty for setting up a 401K when  
12 you're not supposed to.

13           So there is a form to fill out and Rich has  
14 reviewed it. It's a \$750 charge so John -- once we get  
15 approval if we get one more person tonight on our  
16 Resolution, we will send that in tomorrow. So that's all  
17 set to go. Basically you just have to explain why this  
18 occurred because we didn't -- we knew we weren't State  
19 employees so therefore we thought we were eligible but we  
20 weren't, and what's going to happen going forward. So the  
21 Executive Committee had asked me to do some research.  
22 What Rich Cohen said is we are eligible for a 401A plan  
23 for employer contributions. So ING has a 401A plan. I  
24 also did research, I checked with The Hartford, The

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1 Prudential, Fidelity. I also reached out to the Health  
2 Insurance Exchange because they were in the same situation  
3 as we were, and contacted three people that said they were  
4 considering.

5 It ends up that we are so small that nobody  
6 can underwrite us. So actually ING got a waiver and  
7 they're being really nice and saying they will underwrite  
8 us because they have our 457. And it's very reasonable;  
9 it's a 1.25 percent annual contract charge with no annual  
10 fees, no participant maintenance fees, and they also will  
11 allow us to catch up for employer contributions. John is  
12 missing some employer contributions and I haven't had any  
13 since July because of the glitch in the situation, so what  
14 we'll be able to do is make a spreadsheet and say this is  
15 what should have been contributed. It's really critical  
16 that we get this passed so that everything is all set up  
17 before the end of the year so that we can make the  
18 employer contributions out to John and myself.

19 So I'd really appreciate it if we get one  
20 more person. So my recommendation would be to go with ING  
21 for our 401A, especially since they're also handling our  
22 457. They'll set up -- everything is all set to go. We  
23 have the Adoption Agreement that Rich has also reviewed.  
24 So we're just waiting for final approval from the Board.

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1 Is there any questions?

2 MR. CARMODY: So the only way we can move  
3 this forward is get another Board member?

4 CHAIRPERSON HORN: Correct.

5 MR. CARMODY: There's no way to get it so  
6 that --

7 MR. CHUDWICK: You have no quorum right  
8 now. We need one more person, one more voting person.

9 MS. KRAUS: Are we allowed to get votes and  
10 then do it after the meeting?

11 MR. CHUDWICK: No, do it right now. We'll  
12 recess and try and get folks, but if we don't get a quorum  
13 we can't take any action on anything tonight. Can't go  
14 into executive session, we can't do anything --

15 MS. KRAUS: Wow.

16 MR. CHUDWICK: -- until you have a quorum  
17 of the agency, so.

18 MS. KRAUS: I wonder what happened to Ron  
19 because he was on his way.

20 CHAIRPERSON HORN: Or Mark.

21 MS. MATTIE: Can we just try to make a  
22 call?

23 MS. KRAUS: I did, we tried. We just have  
24 their office numbers. Does anyone have their cell phones?

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1 CHAIRPERSON HORN: And what about e-mails?  
2 Sometimes that -- they can get an e-mail on their cell.  
3 We need one more --

4 MS. KRAUS: Ellen was supposed to be here  
5 too.

6 MR. CARMODY: We need seven but not  
7 including you Barbara. I think you're a non --

8 MS. PARKS-WOLF: I don't count --

9 MR. CARMODY: -- right, you're not a --

10 MR. CHUDWICK: For quorum purposes.

11 CHAIRPERSON HORN: You're very important.

12 MR. CHUDWICK: -- yeah, so you have six  
13 right now. You need one more person. There are currently  
14 13 sitting members of the Board, so we need seven to make  
15 a majority.

16 MS. KRAUS: Alright who should we try  
17 first, Mark?

18 CHAIRPERSON HORN: And while you're doing  
19 that we could take public comments -- that would be  
20 Committee updates and public comment.

21 MR. CHUDWICK: Yeah, Committee updates  
22 would be good. We can talk about that.

23 CHAIRPERSON HORN: We could proceed with  
24 Committee updates but we're trying to track down one more

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1 person. Were there any Committee meetings?

2 MR. DeSTEFANO: The Technical Committee met  
3 and discussed the direct trust framework that we'd like to  
4 endorse. We -- and hopefully we'll finish up the review  
5 of that and make any changes that need to be made for next  
6 meeting and then bring it to the January Board meeting for  
7 approval. Chris, we had -- I don't know if we had Legal  
8 and Policy but I'm --

9 MS. KRAUS: We had a Tech and we had the  
10 Advisory Committee on patient privacy and security. Has  
11 anyone here attended that one? Ellen was supposed to be  
12 here, those were the only two.

13 MR. DeSTEFANO: Right.

14 MS. KRAUS: And Legal got cancelled.

15 MS. KELLEY: Did the Executive Committee  
16 meet?

17 MS. KRAUS: Yes.

18 CHAIRPERSON HORN: Okay, here's Ron  
19 Buckman. So we are so excited to see you.

20 MR. CARMODY: The Board moved the meeting  
21 to Saturday mornings.

22 CHAIRPERSON HORN: Okay, we'll circle back  
23 to the minutes.

24 MR. CASEY: Move they be accepted.

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1 CHAIRPERSON HORN: Okay, do we have a  
2 second.

3 MS. KELLEY: I'll second.

4 CHAIRPERSON HORN: Brenda seconded it. Any  
5 discussion? All in favor?

6 ALL VOICES: Aye.

7 CHAIRPERSON HORN: Any opposed? The  
8 minutes carry and are approved.

9 MR. CASEY: Move we make the adjustments in  
10 the deferred compensation program.

11 CHAIRPERSON HORN: We'll do the Treasurer's  
12 report next.

13 MR. CARMODY: Chris, can you just give the  
14 synopsis for Ron just so that he knows what's going on?

15 MS. KRAUS: Sure. Did you want to approve  
16 the Treasurer's report first or --

17 CHAIRPERSON HORN: If you don't mind we'll  
18 just go to -- do the Treasurer's report quickly. Ron, do  
19 you have any questions on the Treasurer's report? Would  
20 you like us to --

21 DR. RONALD BUCKMAN: If you can do a very  
22 quick synopsis -- okay I'm good.

23 MS. KRAUS: Sure. You're good, okay.

24 CHAIRPERSON HORN: Okay, so we have --

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1 MS. MATTIE: And you have the Finance guy  
2 right next to you.

3 CHAIRPERSON HORN: Okay, so we need a  
4 motion to approve the Treasurer's report.

5 MS. KELLEY: So moved.

6 CHAIRPERSON HORN: Second?

7 MR. CARMODY: Second.

8 CHAIRPERSON HORN: All in favor?

9 ALL VOICES: Aye.

10 CHAIRPERSON HORN: Any opposed? Okay, and  
11 then our Resolution. Do you have --

12 MR. CHUDWICK: You have to approve a  
13 Resolution to discontinue the 401K plan and establish a  
14 401A plan as a replacement.

15 MR. CASEY: So moved.

16 DR. BUCKMAN: Second.

17 MS. KRAUS: Who seconded, Ron? Thank you,  
18 thank you.

19 CHAIRPERSON HORN: Any further discussion?  
20 All in favor?

21 ALL VOICES: Aye.

22 CHAIRPERSON HORN: Any opposed? Okay. We  
23 did Committee updates, there were no motions required  
24 there. Pubic comments please. Anybody in the public wish

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1 to say anything?

2 MR. CHUDWICK: Next item is the executive  
3 session pursuant to Connecticut General Statutes §1-206B  
4 relating to strategy negotiations with respect to a  
5 pending claim with Axway -- with the Axway contract. And  
6 it requires a two-thirds vote of the members and invited  
7 into the executive session would be myself and John and  
8 Chris. Anyone else need to come in?

9 MR. DeSTEFANO: Um, Minakshi.

10 MS. MATTIE: And Joan.

11 MR. DeSTEFANO: And Joan.

12 MR. CHUDWICK: Okay.

13 CHAIRPERSON HORN: It would be helpful in  
14 terms of their expertise in the discussion.

15 MR. CHUDWICK: Okay.

16 MR. CASEY: I'd also like to have Dean  
17 Myshrall, if he'd like to join us for the special session  
18 -- the executive session.

19 CHAIRPERSON HORN: And who is he?

20 MR. CASEY: Dean Myshrall, he's the  
21 Director of Data Management with the State of Connecticut,  
22 DAS.

23 CHAIRPERSON HORN: He works with you?

24 MR. CASEY: He works with me, yes.

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1 CHAIRPERSON HORN: And he has expertise  
2 that would add to our discussion?

3 MR. CASEY: He -- anything about technology  
4 especially database's architecture, he's the man.

5 MR. CHUDWICK: Okay, is there a motion to  
6 go into executive session?

7 MS. KELLEY: So moved.

8 MR. CHUDWICK: Second?

9 MALE VOICE: Second.

10 MR. CHUDWICK: Any discussion? All those  
11 in favor please signify by saying Aye.

12 ALL VOICES: Aye.

13 CHAIRPERSON HORN: Opposed say no. Motion  
14 carries, we are in executive session.

15 (off the record -- executive session)

16 CHAIRPERSON HORN: So we're back from  
17 executive session at 6:03, and we have a motion to go back  
18 into executive session pursuant to the Connecticut  
19 Statutes, §1-206B, to discuss a matter pertaining to  
20 information exempt from disclosure under Connecticut  
21 General Statutes §1-210E(5)B. We need a motion.

22 MR. CHUDWICK: Is there a motion to that  
23 affect?

24 DR. BUCKMAN: So moved.

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1 CHAIRPERSON HORN: Second?  
2 MR. HEUSCHKEL: I'll second.  
3 MR. CHUDWICK: And who else would be coming  
4 in?  
5 MS. KRAUS: Who made the motion?  
6 MR. CHUDWICK: Ron and Mark. And then  
7 invited into executive session would be --  
8 MR. DeSTEFANO: Minakshi -- Tikoo Minakshi.  
9 MR. CASEY: And Dean Myshrall, unless you  
10 want to go home Dean.  
11 CHAIRPERSON HORN: And Joan Soulsby.  
12 MR. CARMODY: Can we just say the usual  
13 suspects?  
14 MR. CHUDWICK: Motion from Ron, second from  
15 Mark.  
16 CHAIRPERSON HORN: All in favor?  
17 ALL VOICES: Aye.  
18 CHAIRPERSON HORN: Any opposed. Okay,  
19 unanimous.  
20 MR. CHUDWICK: Okay, so we're back into  
21 executive session.  
22 (off the record -- executive session)  
23 (Whereupon, the meeting was adjourned at  
24 6:40 p.m.)