

**Wisconsin eHealth Care Quality and Patient Safety Board
December 10, 2008 Board Meeting
Minutes**

Members in Attendance:

Christopher Alban, MD, Epic Systems; Bevan Baker, City of Milwaukee Public Health; Edward Barthell, MD, National Institute for Medical Informatics; Gary Bezucha, North Central Health Care; Patricia Flatley-Brennan, School of Nursing and College of Engineering; Ravi Kalla, Symphony Corporation; Bill Kox (for David Stella, WI Department of Employee Trust Funds (ETF)); Karl Richards (for Lon Sprecher, Dean Health Insurance); Peggy Smelser, WEA Trust; Justin Starren, MD, Marshfield Clinic Research Foundation (via teleconference); Karen Timberlake, WI Department of Health Services (DHS); John Toussaint, MD, Theda Care Center for Healthcare Value.

Members unable to attend:

Betsy Abramson, Wisconsin Coalition Against Domestic Violence; Catherine Hansen, St. Croix Regional Medical Center; Donald Layden, Metavante; Candice Owley, Wisconsin Federation of Nurses and Health Professionals; Debra Rislow, Gundersen Lutheran; Dan Schooff, WI Department of Administration; Hugh Zettel, GE Healthcare.

Others in attendance:

Alison Bauer; John Benninghouse, DHS; Alison Bergum, UW Population Health Institute; Erika Brown, WDA; Matt Duffy, DHS; Michelle Klagos, Wisconsin Medical Society; Cheryl McIlquham, DHS; Nancy Nankivil, Wisconsin Medical Society; Tom Pabich, Navitus; Alice Page, DHS; Laurie Palchik, DOA; Kim Pemble, Wisconsin Health Information Exchange; Edward Rabotski, DHS; Jeffrey Rose, Humana; Matthew Schwei, DHS; Matthew Stanford, Wisconsin Hospital Association; Peter Strombom, Health IT Consultant; Julie Sumani, Navitus; SueAnne TeStrake, DHS; Bernadette Thomsen, DHS; Alan L. VanAmber, Navitus; Denise Webb, DHS.

1. Call to Order

DHS Secretary Karen Timberlake, Chair of the eHealth Care Quality and Patient Safety Board called the meeting to order at approximately 9:00 AM. Secretary Timberlake welcomed the Board, business partners, and members of the audience.

2. Minutes of June 11, 2008 Meeting

The Board did not take a vote to approve the June 11, 2008 eHealth Board meeting minutes because it lacked a quorum at the time this agenda item was presented for consideration.

3. Chair's Report

Personnel Updates. Secretary Timberlake made two announcements regarding personnel changes in the Department's eHealth staff. Alice Page recently joined the eHealth team. Alice is an experienced health care attorney and has a Master's of Public Health. Alice's main focus will be on policy for the eHealth initiative. Kathleen Farnsworth has left the Department.

Budget. In spite of the expected budget deficit, the State's intentions are to preserve the progress that has been made in eHealth to advance and support Health Information Technology (HIT) adoption and Health Information Exchange (HIE), and to continue making forward progress. Given the State's budget deficit, strategies for moving forward in the next biennium are expected to be limited to either no-cost or low-cost efforts. Secretary Timberlake welcomed any suggestions on what State government can do in this regard over the next 2 years.

4. Reports

State-level HIE Planning and Design (RFP) – Denise Webb

Denise Webb reported that the evaluation of the vendor proposals is complete and the procurement is currently undergoing an administrative review. Upon successful completion of the administrative review, the procurement executive steering committee will receive the final report and decide how to proceed. Expectations are that vendor negotiations will begin in December, resulting in a completed contract and project launch in January 2009. The eHealth website will be updated and the Board notified when the procurement process is complete.

Health Information Privacy and Security – Alice Page

Alice Page presented the proposed privacy and security portion of the State's eHealth policy agenda for the 2009-2011 Biennium. The proposal is detailed in a draft paper which was not distributed at the meeting. Prior to finalizing the paper, the eHealth Program Manager, Denise Webb, will distribute it to the eHealth Board members for review and comment.

The overall goal of the eHealth policy agenda is to advance HIT adoption and health information exchange so Wisconsin can transform its healthcare system and improve health care quality, safety, and efficiency. Key objectives of the privacy and security portion of the eHealth policy agenda are to address: (1) further revisions needed to update Wisconsin's health information privacy and confidentiality law, (2) security safeguards and controls that entities, such as a HIE organization, must comply with to protect personal health information held by the entities, and (3) oversight and accountability. The expected outcomes of this policy work include an increased public and provider trust in HIT and HIE, increased adoption and use of HIT/HIE, and the realization of the intrinsic potential benefits of HIT and HIE in transforming health care.

The following is the proposed list of areas targeted for legislative and regulatory action:

- ♦ Health information privacy and confidentiality
- ♦ Consumer control of personal health information
- ♦ Security safeguards and controls
- ♦ Oversight, accountability, and remedies

The Board participated in a discussion about the proposed process for advancing the privacy and security areas of the eHealth policy agenda. The proposed process would be led by an Advisory Committee of the eHealth Care Quality and Patient Safety Board. Four committee workgroups would report to the Advisory Committee. Each of the four workgroups would focus on a specific policy area targeted for legislative and regulatory action (listed above). Staffing of the

Advisory Committee and Workgroups would be volunteer based, with efforts made to establish statewide representation and appropriate member credentials.

Discussion on the policy agenda included several items raised by Board members, including Administrative Code revisions, Wisconsin's progress compared to other states, positioning the State to take advantage of federal funding, and leadership in the area of eHealth.

Members of the eHealth Board and other meeting attendees volunteered to participate in a conference call to discuss possible state-level structures for governing statewide HIE.

Denise Webb provided an update on three items related to privacy and security.

1. Act 108 Guidance Memorandum: In early October, the Act 108 Guidance Memorandum was sent to a very broad stakeholder group. The memorandum can be found on the eHealth Board website.
2. Health Information Security and Privacy Collaborative (HISPC) Phase II: The § 51.30 Workgroup's final report included items where further action and discussion were recommended in order to successfully implement the group's recommended changes in Wis. Stat. § 51.30.
 - ♦ Clarification of definition of "health care provider." The issue of potentially limiting providers who may receive § 51.30 records for treatment purposes without patient consent will be addressed in the privacy and security policy work.
 - ♦ General provider training. HIPAA Collaborative of Wisconsin is developing a training package to be used for general provider training regarding HIPAA and Wisconsin law.
 - ♦ Anti-stigma training. The Department's Division of Mental Health and Substance Abuse and WI United for Mental Health will lead the effort on developing and disseminating anti-stigma training. The eHealth program will participate in the effort and monitor its progress.
3. Wisconsin is a participant in the HISPC III Multi-State Consent Project. The focus of HISPC III is on interstate exchange of health information. The three main goals of this project are to:
 - ♦ Advance the collective understanding of patient consent and the PHI disclosure requirements in each of the participating states,
 - ♦ Test the effectiveness of a method to inform states of common and divergent consent requirements, and
 - ♦ Lay the groundwork for development of an effective information exchange, standards, and policies; and provide feedback directly to ONC.

ED Linking Project – Kim Pemble

Kim Pemble, Executive Director of the Wisconsin Health Information Exchange (WHIE), provided an overview and update on the Emergency Department (ED) Linking Project. The update included information on participants, data sharing, data use, and next steps.

Annual Ambulatory HIT Adoption Survey (Preliminary Results) – Matthew Schwei

Matt Schwei provided an overview of the 2008 Wisconsin Ambulatory HIT Adoption Survey. The 2008 Survey included several changes from the previous year, including:

- ♦ Placing emphasis on increasing the percentage of responses from small/independent providers.
- ♦ Designing the 2008 survey so the results can be compared with national data.
- ♦ Collecting additional information not included in the previous survey, such as levels of Electronic Health Record (EHR) functionality, eRx use and transmission, HIE, barriers and incentives, and future plans for EHR adoption.
- ♦ Making additional efforts to identify the individual from each practice site who would be best able to respond to the survey.

The final steps in completing this year's survey include conducting the final informational interviews, completing the data analysis, and creating the final report to be released in early 2009.

Wisconsin Health Information Organization (WHIO) Update – John Toussaint

John Toussaint gave an overview on the Wisconsin Health Information Organization and its data mart, including the goals of the organization, members, progress, future partners, and next steps. WHIO's second release of the data mart is scheduled to be delivered in June 2009.

5. Announcements

Bevan Baker announced that the Milwaukee Health Department received an award of \$35,000 from the National Association of City and County Health Officials and the CDC. The money will be used to fund a demonstration project that links a real-time county system with data from the Wisconsin Health Information Exchange. The purpose of this project is to aid infection control practitioners and public health professionals in the event of an outbreak. Over one hundred applications were submitted and only two awards made nationwide.

The eHealth Care Quality and Patient Safety Board's annual report will be drafted by the eHealth program for the Board's review. The plan is to deliver the report to the Governor by March 31, 2009.

The next board meeting will be held on Friday, March 13, 2009.

6. Adjournment