

**Legal Working Group Meeting Minutes**  
**Wednesday, January 7, 2009**  
**10:00 a.m. to 11:10 a.m.**

**Attendees:** Stephanie Jursek, Anker Bell, Bill Mitchin, Nancy Gillette, Socrates Tuch, Jeff Kapp

**On Phone:** Sue Yoder, Rick Sites, Amy Leopard, Glenn Karr, Janice Franke

**WELCOME AND INTRODUCTIONS:** Socrates Tuch welcomed the group and attendees introduced themselves.

**APPROVAL OF 12/03/08 MINUTES:** Minutes from the 12/03/08 meeting were adopted as written.

**HISPC/OHIP/NHIN UPDATE:**

*HISPC*

Stephanie Jursek stated that the focus has been on the preparation and finalization of interstate and intrastate templates. Bill Mitchin completed a draft of a consolidated interstate template, which is quite lengthy. Most likely, deadlines will be moved back. Bill has e-mailed the interstate templates to our RTI representative and then the templates will be e-mailed to the group to conduct further analysis. The same is true for the intrastate documents.

HISPC steering committee will be meeting on January 12 in Washington, DC. On January 13, an in person meeting with the Consent 2 Policy Option collaborative will be held in Washington, DC. Bill Mitchin indicated that those in Washington should be impressed with the data and detail that Ohio, Illinois, and California groups collected. This is important because it might serve as a catalyst to extend the HISPC work in 2009. In March a national conference is scheduled and will include representation from HISPC and NHIN to discuss how we should move forward..

*OHIP*

OHIP was officially concluded on December 31, 2008 per executive order. However, there have been some changes in the Governor's office, and Rex Plouck, who is a liaison for the governor and is working with the OHIP board, has taken a position in the Ohio Department of Insurance. His focus area is on the Ohio Health Care Reform Initiatives. This is positive because we have a relationship with him and others that will help us move forward. There is still an executive order pending, which creates a new advisory board with a broader scope than OHIP, but would grandfather many, if not all, of the OHIP advisory board members. It is our intention to use the OHIP advisory board as the steering committee for HISPC until March.

## **REVIEW OF POPULATED STATE TEMPLATES:**

### *Intrastate*

The LWG stated that templates are clear, well written, and provide a helpful assessment of various consent alternatives for sharing information in an exchange on an intrastate basis, and it produced helpful results. In that regard, the LWG representatives noted that the templates are valuable, but each state would have to look at its own state laws to determine how intrastate/interstate consent issues work in each state. Additionally, Nancy Gillette commented that the consent alternatives outlined in the templates are not applicable in Ohio. Consent in Ohio must be obtained for treatment, payment, and operations. We can use the template as a tool rather than the analysis. These templates are to serve as a sort of “road map” to make it easier for states that are just beginning this process to determine out where to start. Bill Mitchin requested that the LWG provide written feedback on the intrastate templates. The LWG will submit feedback to Stephanie by January 12.

### *Interstate*

Bill Mitchin stated that the templates are very long and sometimes redundant. Bill also commented that the analysis has redundancies because of his conservative approach to editing. The consolidated template will be sent out to everyone via e-mail as soon as RTI provides approval to Bill. Participants of the LWG sub-committees would review the sections of the template they drafted. The LWG was allocated three weeks to provide feedback on the interstate consolidated template.

## **NEXT MEETING:**

The date for the next meeting is to be determined.