

Legal Working Group Meeting Minutes
Wednesday, May 13, 2009
10:00 a.m. to 11:00 a.m.

Attendees: Stephanie Jursek, Janice Franke, Nancy Gillette, Jim Tassie, Patrick Beatty, Jed Dailey, Holly Drake, Bill Mitchin

On Phone: Anker Bell, Amy Leopard, Glenn Karr, Susan Yoder, Terri-Lynne Smiles, Karen Smith, Mary Crimmins, Jeff Kapp, Tony Shaffer

WELCOME AND INTRODUCTIONS: Nancy Gillette welcomed the group and attendees introduced themselves.

APPROVAL OF January 7, 2009 MINUTES: Minutes from the January 7 meeting were adopted as written.

HISPC UPDATE:

HISPC:

Stephanie Jursek noted that the group has new members. She gave an overview of the HISPC project and the work of the Legal Working Group to help orient new members and to refresh the memories of returning members.

HISPC EXTENSION PHASE OVERVIEW:

Bill Mitchin thanked the Legal Working Group for their contributions in the implementation of the HISPC project. Ohio, through HPIO, has been awarded a contract to participate in an extended phase of the HISPC project by participating in the Consent 2 Policy Options Collaborative. The timeframe is April 1 - August 14. There are three states in the collaborative. The Office of the National Coordinator (ONC) identified projects to be continued under this contract. In that regard, the LWG has been charged to begin describing the primary components for establishing an interstate compact. Within the three states, there are varying views on how the compact should be used and what should be included in it. Since there has been no agreement, ONC has asked for groups to define the major components of what should be considered included in the compact and suggestions of potential approaches for implementing them. As such, LWG will identify what components should be considered included in the compact and create definitions for the components that are selected. Also, the LWG will identify the pros and cons and potential approaches for implementation of each of the components. The purpose of this is to create a roadmap that will facilitate the next steps of this project. The extension includes 4 areas:

1. 90 minute workshop webinar: The date for this webinar is June 18 (to be confirmed), and we will be using templates from HISPC Phase 3.
2. Consumer Education Task: We will meet with 2 or 3 consumer advocates and distribute HISPC materials to them.

3. Provider Education Task: We will work with at least two provider associations to promote a web based educational toolkit, <http://www.secure4health.org>, to foster the effective adoption of electronic health information exchange.
4. Innovation Task: developing and defining common components of the Interstate Compact. Ohio has been assigned to analyze 4 specific components: *Parties to the Agreement, Certification Mechanism for Security, Enforcement, and Liabilities*.

WORK PLAN REVIEW:

Nancy Gillette discussed the calendar and all upcoming meetings. The dates for these meetings are May 27, June 10, June 24, and a possible date in July (most likely the 8th). These projects are due at the end of June, so there is not much time to work on them.

1. Mary Crimmins will chair the committee for analyzing the *Certification Mechanism for Security* component.
 - a. Tony Shaeffer and Holly Drake
2. The chair of the committee for analyzing the *Enforcement* component is TBD
 - a. Jeff Kapp, Janice Franke, Terri-Lynne Smiles, Socrates Tuch
3. The chair of the committee for analyzing the *Liabilities* component is TBD
 - a. Amy Leopard, Anker Bell, Jed Daley, Rick Sites, Patrick Beatty
4. Jim Tassie will chair the committee for analyzing the *Parties to the Agreement* component.
 - a. Nancy Gillette and Karen Smith,

Stephanie Jursek will email the template to each committee. Each committee is to have a progress report ready on May 27.

NEW BUSINESS:

Stephanie Jursek stated that over the last 1-3 years Ohio has been involved in two major healthcare efforts, the State Coverage Initiative and the State Quality Improvement Initiative, and that these two initiatives have been merged as a result of a recent executive order, EO-03S. The order formed the Ohio Health Care Coverage and Quality Council. Cynthia Burnell has been named as Executive Director for the Council. The Council will be exploring health information technology and exchange options. Stephanie noted that if interested in updates, the Council website is <http://ohqis.pbwiki.com>.

NEXT MEETING DATE:

The next meeting will take place on May 27, 2009 at 10:00 a.m. in the HPIO conference room.