



Meeting Notes

Health Information Technology Advisory Committee Information Blocking Task Force Workgroup 1: Relevant Statutory Terms and Provisions March 28, 2019, 1:00 p.m. – 2:00 p.m. ET Virtual

The March 28, 2019, meeting of the Information Blocking Task Force Workgroup 1: Relevant Statutory Terms and Provisions of the Health IT Advisory Committee (HITAC) was called to order at 1:00 p.m. ET by Lauren Richie, Designated Federal Officer, Office of the National Coordinator for Health IT (ONC).

Lauren Richie called the meeting to order and conducted roll call.

Roll Call

MEMBERS IN ATTENDANCE

Michael Adcock, Co-Chair, Individual
Andrew Truscott, Co-Chair, Accenture
Cynthia Fisher, Member, WaterRev, LL
John Kansky, Member, Indiana Health Information Exchange
Sheryl Turney, Member, Anthem

MEMBERS NOT IN ATTENDANCE

Denni McColm, Member, Citizens Memorial Healthcare

ONC STAFF

Mark Knee, ONC Staff Lead
Morris Landau, ONC SME
Lauren Richie, Branch Chief, Coordination, Designated Federal Officer
Lauren Wu, SME

Lauren Richie turned the meeting over to Mark Knee.

Electronic Health Information (EHI)

Mark Knee shared the Google document to discuss changes, updates, and comments that were added to the EHI definition discussion.

Mark Knee reviewed the audit discussion from the March 27 meeting in which the group decided not to include audit information in the definition. This update was shared with Andy Truscott who was not on the last call.



Andy Truscott questioned if the Health Insurance Portability and Accountability Act (HIPAA) provides what is required.

- **John Kansky** commented that he thought that it was covered by HIPAA.
- **Sheryl Turney** commented that it does not belong in the EHI definition.

Andy Truscott noted that he did not want to confuse this with provenance. He is talking about when information is shared. A patient should be able to know where their information is being shared to.

Cynthia Fisher suggested being practical and not creating unnecessary hurdles.

John Kansky shared that his goal is for patients and providers to be able to get at the data.

- **Andy Truscott** commented that having seen the implementation of these types of things in other jurisdictions, he is trying to avoid unintended consequences.

Sheryl Turney noted that she has a lot of concerns and felt this needs to be a longer discussion.

Andy Truscott suggested adding the following recommendations.

- **Recommendation:** ONC to consider the potential inclusion of “(3) Patient consents to information sharing, and (4) information as to who patient information has been shared with” and this is possibly to be taken outside of these regulations.
- **Recommendation:** Additional Class of Data which includes management and access information concerning a patient’s information. e.g. “Who has accessed my data? Individual / Organization.” Whole Population analytics.

There was a lot of discussion about these recommendations, and there was no consensus reached.

Andy Truscott asked the members to review the recommendations in the Google document and either note agreement or provide suggested changes.

Andy Truscott noted that in the future there will be additional regulation around price transparency. The group needs to think about whether disclosure needs to be included in the definition of EHI, per Cynthia Fisher’s concern.

Lauren Richie opened the lines for public comment.

Public Comment

There was no public comment.

Next Steps and Adjourn

The next meeting will be on Wednesday, April 3 at 12:00 p.m. ET.

Lauren Richie adjourned the meeting at 2:00 p.m. ET.