



## Meeting Notes

### Health Information Technology Advisory Committee Trusted Exchange Framework and Common Agreement Task Force June 24, 2019, 12:00 p.m. – 1:30 p.m. ET Virtual

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#### Executive Summary

The June 24, 2019 Trusted Exchange Framework and Common Agreement (TEFCA) Task Force (TF) meeting focused on reviewing the recommendations where the members had differing opinions. The TEFCA TF continued to refine recommendations in preparation for presenting to the HITAC at the July 11, 2019 meeting. There were no public comments.

#### Event Summary

12:00 p.m. Call to Order/Roll Call  
12:05 p.m. Review Draft Recommendations  
01:20 p.m. Public Comment  
01:30 p.m. Next Steps and Adjourn

#### Roll Call

#### MEMBERS IN ATTENDANCE

**John Kansky, Co-Chair**, Indiana Health Information Exchange  
**Arien Malec, Co-Chair**, Change Healthcare  
Noam Arzt, HLN Consulting, LLC  
Cynthia A. Fisher, WaterRev, LLC  
Anil Jain, IBM Watson Health  
David McCallie, Individual  
Aaron Miri, The University of Texas at Austin, Dell Medical School and UT Health Austin  
Mark Savage, National Partnership for Women & Families  
Sasha TerMaat, Epic  
Grace Terrell, Envision Genomics, Inc.  
Sheryl Turney, Anthem Blue Cross Blue Shield  
Denise Webb, Individual

#### MEMBERS NOT IN ATTENDANCE

Laura Conn, Center for Disease Control and Prevention (CDC), Federal Representative  
Carolyn Petersen, Individual  
Steve L. Ready, Norton Healthcare  
Mark Roche, Centers for Medicare and Medicaid Services (CMS), Federal Representative  
Andrew Truscott, Accenture



## ONC STAFF

Zoe Barber, Staff Lead

Michael Berry, SME

Alex Kontur, SME

Morris Landau, Back-up/Support

Lauren Richie, Branch Chief, Coordination, Designated Federal Officer

Kim Tavernia, HITAC Back Up/ Support

## Opening Remarks

**Arien Malec** shared that there has been work done behind the scenes to refine the recommendations and update the numbering throughout the draft transmittal letter. There are several items where consensus is needed, and this will be the focus of today's Trusted Exchange Framework and Common Agreement (TEFCA) Task Force (TF) meeting. He noted that if there is a minority opinion or split decision, it will be reflected in the transmittal, as necessary.

## Review Draft Recommendations

### OVERARCHING RECOMMENDATIONS

#### Recommendation 1a: Incentivize Adoption of TEFCA

The following was suggested as a path forward:

- As the TEFCA is implemented, real-world tested, and participation increases, consider trying to value-based purchasing and conditions of participation.

This proposed language was agreed to as a way forward, understanding that the TEFCA TF still needs the opportunity to review and refine the language.

#### Recommendation 2.a

The TEFCA TF discussed whether ONC should harmonize the requirement to be either electronic health information (EHI) or EHI coupled with the United States Core Data for Interoperability (USCDI).

- It was suggested that EHI should be coupled with USCDI (expanding at a faster pace).
- There also were opinions that EHI should not be limited to USCDI.

The following two recommendations were proposed with work needed to articulate more effectively:

- The TEFCA TF understands that something broader than USCDI may be desirable, while we recommend staying with USCDI unless or until the EHI definition is cast more clearly.
- TEFCA should be responsive to the needs that Congress articulated, which relates to the USCDI/EHI definition, not TEFCA.

#### Recommendation 3.a and 3.b

- As currently written the recommendation is too simplistic, the TEFCA TF agreed to reframe the recommendation to harmonize with the Health Insurance Portability and Accountability Act (HIPAA).
- TEFCA TF members also identified a need for guidance around application if HIPAA compliance is not specifically mentioned.



- Examples provided to help emphasize the recommendation:
  - Meaningful choice (goes above and beyond)
  - Offshore data (no data outside of the United States)
  - Identify proofing and authentication are more specific, don't just defer to HIPAA

## Recommendation 4

There was significant discussion around the third bullet (below):

- When changes to existing agreement are required, allowing the Recognized Coordinating Entity (RCE), with respect to Qualified Health Information Networks (QHINs), and QHINs (with respect to Participants) the latitude to agree to time-limited “bootstrap” periods whereby existing networks already under operation would be able to participate in TEFCA while having a defined, agreed upon period of time to revise their terms and conditions to avoid disruption to their participant network and existing information exchange. With respect to the RCE-QHIN relationship, the RCE may be able to employ this concept by grouping cohorts appropriately based on their bootstrap period/agreement.

THE TEFCA TF decided to dilute the language to eliminate some of the controversies.

## QUALIFIED HEALTH INFORMATION NETWORK TECHNICAL FRAMEWORK

### Recommendation 5

The TEFCA TF agreed to remove this recommendation due to lack of examples.

### Recommendation 6

There was a concern that this recommendation should be about functional requirements. The QHIN Technical Framework (QTF) biases the discussion and confuses the issues because of the specificity of the implementation guide. There was an endorsement of a suggested QHIN Functional Framework (QFF).

## Public Comment

There were no public comments.

## QUESTIONS AND COMMENTS FROM THE CHAT WINDOW

**Grace E Terrell:** I agree with David’s perspective that market forces have not solved for health information exchange and we should not dilute the recommendations too strongly.

**Mark Segal:** Need to be clear if only certain HIPAA privacy and security obligations apply to non-covered entities or if all apply. If only some, be clear on which apply.

**Mark Savage:** Where in the current draft are we discussing the alignment with standardized API provisions of Interoperability Rule? That was flagged before HITAC meeting, having trouble finding it now. Thanks.

**Zoe:** We took it out as out of scope for the TF. Is there a specific area issue we want to raise and then we can better determine if it is or isn't in scope?



**Mark Savage:** Should I wait and discuss offline after this call?

**Zoe:** Feel free to bring up now

**Sheryl Turney:** I agree with David's suggestion

**Denise Webb:** I agree with removing Rec #5

## Next Steps and Adjourn

The TECCA TF will begin with Recommendation 6 at the June 26 meeting to further review the language proposed. Work will continue during future meetings and behind the scenes to refine the recommendations in preparation for sharing at the July 11, 2019 HITAC meeting.

The meeting was adjourned at 1:30 p.m. ET