Health Information Technology Advisory Committee

HTI-1 Proposed Rule Task Force 2023 Virtual Meeting

Full Task Force Meeting

Meeting Notes | June 6, 2023, 10:30 AM – 12 PM ET

Executive Summary

The focus of the Health Data, Technology, and Interoperability: Certification Program Updates, Algorithm Transparency, and Information Sharing (HTI-1) Proposed Rule Full Task Force meeting on June 6 was to discuss and revise the HTI-1 Proposed Rule draft recommendations.

Agenda

10:30 AM	Call to Order/Roll Call
10:35 AM	HTI-1 Proposed Rule Task Force Charge
10:40 AM	Update and Revise Draft Recommendations
11:50 AM	Public Comment
12:00 PM	Adjourn

Call to Order

Mike Berry, Designated Federal Officer, Office of the National Coordinator for Health IT (ONC), called the meeting to order at 10:31 AM.

Roll Call
Members in Attendance

Steven Lane, Health Gorilla, Co-Chair
Steven Eichner, Texas Department of State Health Services, Co-Chair
Hans Buitendijk, Oracle Health
Hannah Galvin, Cambridge Health Alliance
Adi Gundlapalli, CDC
Hung Luu, Children's Health
Anna McCollister, Individual
Clem McDonald, National Library of Medicine
Deven McGraw, Invitae Corporation
Aaron Miri, Baptist Health
Eliel Oliveira, Dell Medical School, University of Texas at Austin
Filipe (Fil) Southerland, Yardi Systems, Inc.

Members Not in Attendance

Medell Briggs-Malonson, UCLA Health
Jim Jirjis, HCA Healthcare

Kikelomo Oshunkentan, Pegasystems
Naresh Sundar Rajan, CyncHealth
Sheryl Turney, Elevance Health

ONC Staff
Mike Berry, Designated Federal Officer, ONC
Daniel Healy, ONC
Sara McGhee, ONC

Key Points of Discussion

HTI-1 Proposed Rule Task Force Charge
HTI-1 Proposed Rule Task Force (Task Force) Co-Chairs, Steven Eichner and Steven Lane, welcomed the full Task Force. Steven Lane reviewed the meeting agenda and charge detailed in the June 6 meeting presentation materials.

Update and Revise Draft Recommendations
Steven Lane reviewed the Task Force's HTI-1 Proposed Rule suggestions in the Recommendations Document. Rows 2 and 3 in the Recommendations Document were approved by the Task Force during the May 31 meeting. A robust discussion on the remaining HTI-1 Proposed Rule recommendations followed.

Discussion:
- Steven Lane reviewed the recommendations in Row 4 of the document.
  - Prior to the meeting, Deven McGraw added a recommendation to clarify that the first recommendation is intended to be in lieu of the current Trusted Exchange Framework and Common Agreement (TEFCA) manner proposal.
  - The Task Force agreed on the recommendations in Row 4.
- The Task Force agreed to leave Row 5 blank.
- Steven Lane reminded the group that during the May 31 HTI-1 Proposed Rule Task Force meeting, the group agreed on the recommendations in Row 6.
  - Aaron Miri recommended context-setting on where the Task Force's Health Information Technology Advisory Committee (HITAC) Annual Report Workgroup recommendation in Row 6 came from. It will be beneficial to level set the group on why the recommendation is being sent to the Annual Report Workgroup and not the HITAC.
- Steven Lane reviewed Deven McGraw's recommendation in Row 7.
  - Steven Eichner noted there may be circumstances where actors do not need to change their behavior until they are asked to.
  - Deven McGraw said information blocking is a matter of circumstances. She worries that ONC's current language in the Proposed Rule could be read to ossify current exchange patterns.
  - Deven and Steven Eichner will wordsmith minor changes offline.
- Steven Lane reviewed Recommendations 5-8 in Row 8. Recommendations 1-4 in Row 8 were approved by the Task Force during the May 31 meeting.
  - Hans Buitendijk agreed to wordsmith Recommendations 1-4 offline.
  - Hannah Galvin approved Recommendation 5. It is important to support pilots and grants to develop the patient-centric hub-and-spoke model. The industry is not yet at a point to certify

to that yet, but piloting will be an important next step.
- Steven Eichner suggested the recommendation be amended to indicate that the data should be centralized, not the application.
- Hans said there are dependencies for Recommendation 6 in Row 8. There needs to be agreement on a starter set of flags for confidentiality. He added if this recommendation is not read in the context of the other recommendations, it may cause undesired data segmentation.
  - Hannah agreed that this recommendation needs to incorporate a maturity model. She does not think the entire semantic conceptual model is needed to move the recommendation forward; there should be just one or two initial use cases and ONC can base certification criteria on that.
- Steven Eichner said Recommendation 7 in Row 8 needs to be amended to include the hub-and-spoke model.
- Deven said Recommendation 7 reads as a request for restrictions that do not have to be honored. She is uncomfortable tying this to a set of pilots that does not create a requirement to use them at all. This recommendation should stand alone.
  - Aaron said the recommendation should include "ascent" for minors to have their right to request restrictions.
- Regarding Recommendation 8, Deven said the self-pay restriction must be requested by an individual at each link in the chain throughout a data exchange; it cannot be assumed that the patient is going to self-pay for additional services related to an episode of care for which a self pay restriction was invoked in the past.
  - Steven Eichner said that is his interpretation as well.
- Hannah said infeasibility may still apply in Recommendation 8.
- The group agreed to add that the Task Force supports the advancement of ongoing work to develop guidelines regarding what metadata should be shared in Recommendation 8.
- The Task Force completed their review of the Group 1 HTI-1 Proposed Rule recommendations.

PUBLIC COMMENT
Mike Berry, Designated Federal Officer, ONC, opened the meeting up for public comment.

QUESTIONS AND COMMENTS RECEIVED VERBALLY
No questions or comments were received verbally.

QUESTIONS AND COMMENTS RECEIVED VIA ZOOM WEBINAR CHAT

Mike Berry (ONC): Welcome to the HTI-1 Proposed Rule Task Force. Please remember to tag "Everyone" when using Zoom chat. Thank you!

Pooja Babbrah: +1 Hannah's comment - also recommend ONC look back at other pilots going on around this now - including work in California

Hans Buitendijk: Agreed with Hannah that can be stepwise to start, grow, and scale up.

Deven McGraw: I'll check, but pretty sure federal law requires the individual to assert the self pay request at each provider

Deven McGraw: Can the person in charge of the screen scroll down so we can see the recommendation? We are further than the bottom of the current page, I think

Deven McGraw: Thank you!

Mark Savage: I think metadata will be an evolving definition, somewhat like USCDI.

Hans Buitendijk: "Downstream" would here include particularly from provider to laboratory to ensure the laboratory is not sharing it through their portal/App until the ordering provider had the opportunity to share. It would not indicate that the result cannot be shared further with other providers which should be managed under general sharing restrictions.

Mark Savage: No rabbit holes here!

QUESTIONS AND COMMENTS RECEIVED VIA EMAIL

No comments were received via email.

Resources

HTI-1 Proposed Rule Task Force 2023 Webpage
HTI-1 Proposed Rule Task Force 2023 – June 6, 2023 Meeting Webpage
HITAC Calendar Webpage

Adjournment

The meeting adjourned at 11:36 AM.