BlueCross BlueShield
Association

An Association of Independent
Blue Cross and Blue Shield Plans

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Donald Rucker, MD
National Coordinator for Health Information Technology
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

Submitted via the HealthIT.gov website: https://www.healthit.gov/topic/2020-2025-federal-health-it-strategic-plan

RE: Draft 2020-2025 Federal Health IT Strategic Plan

Dear Dr. Rucker:

The Blue Cross Blue Shield Association (BCBSA) appreciates the opportunity to comment on the Draft 2020-2025 Federal Health IT Strategic Plan (Health IT Strategic Plan).

BCBSA is a national federation of 36 independent, community-based and locally operated Blue Cross and Blue Shield (BCBS) companies (Plans) that collectively provide healthcare coverage for one in three Americans. For 90 years, Blue Cross and Blue Shield companies have offered quality healthcare coverage in all markets across America – serving those who purchase coverage on their own as well as those who obtain coverage through an employer, Medicare and Medicaid.

We share the Office of National Coordinator for Health Information Technology's (ONC) overarching Strategic Plan goals: improving the health of individuals, families and communities by advancing consumer access and transparency, while protecting the privacy and security of individuals' health information. We also believe ONC's four objectives—the promotion of health and wellness, care delivery and patient experience, a secure data-driven research and innovation ecosystem, and advancement of interoperability through health IT infrastructure improvement—are important national objectives.

BCBS companies have a long-standing commitment to improving the interoperability and transparency of healthcare information and believe the secure and seamless flow of meaningful data among patients, doctors, hospitals and insurance companies is essential to improving decisions and outcomes in the healthcare market. As leaders in advancing data interoperability and consumer access, BCBSA and our member companies have engaged in numerous initiatives to empower patients including:

- Providing online consumer tools and voluntary expansion of the Blue Button 2.0 initiative;

- Serving as a founding member of the Da Vinci Project, a Health Level 7 (HL7) Fast Healthcare Interoperability Resource (FHIR) Application Programming Interface (API) standards development initiative; and

- Being an active member in the Creating Access to Real-Time Information (CARIN) Alliance Common Payer Consumer Data Set (CPCDS) Workgroup. The CARIN CPCDS is an industry effort to develop a trusted framework for consumer-directed exchange and help solve the policy, technical and adoption barriers to implementing FHIR-based APIs and meet the privacy expectations in health information exchange (HIE) beyond the scope of the Health Insurance Portability and Accountability Act's (HIPAA) privacy and security regulations.

Through these and other efforts, we are making strides to a healthier data-driven future on behalf of our Plans.

Strategic Plan Framework

We appreciate the work that ONC has devoted to developing its strategic plan. In order to ensure that ONC is successful in implementing its goals, and to ensure that stakeholders focus on the most meaningful efforts, we recommend that ONC: (a) prioritize its objectives within each goal; and (b) include suggested timelines to meet the objectives.

By prioritizing objectives, ONC can provide direction, resources and insight to address the tactical challenges inherent in a transition to a trusted health application ecosystem. By including suggested timelines, ONC can provide needed guidance to the private sector and stakeholders about where best to devote our innovative attention.

We believe that ONC should first focus on the privacy and security of individual's health information— as we believe trust in the system is foundational to seeing the benefits of interoperability. Additionally, we urge ONC to use grants to support open standards and secure access as we explain further below.

Goals, Objectives and Strategies

We believe the Administration should focus on empowering consumers with actionable, secure, reliable and interoperable data, using standard-based APIs to achieve a higher quality, more efficient and effective health delivery system. With these goals in mind, we suggest the following strategies to achieve ONC's identified objectives.

1) Strategies to Promote Health and Wellness

To improve individual access to health information, we agree that individuals should have access to their health information through secure consumer tools using standard-based APIs. ONC should ensure HIPAA safeguards are expanded to all consumer health data applications, to help prioritize and foster consumer health technology literacy and trust.

Recommendation #1: Require HIPAA-level safeguards on all consumer health data applications. For consumers to truly benefit from the latest consumer tools and applications, the Administration and Congress must address the adequacy of privacy and security standards to properly and thoroughly safeguard sensitive health information. Currently, third-party applications are not covered under HIPAA. It is all too common that once consumers consent to

download an application, the third party can access, store and use the consumer's data for their own commercial gain. Consumers likely will not appreciate what third-party developers can and will do with these data, including data from wearables. Insufficient privacy and security requirements applicable to third-party applications accessing and using consumer health data creates serious privacy and security concerns for the consumer.

Recommendation #2: Consider pilot programs. We believe that trust is key to seeing the benefits of an interoperable health system. Yet, we all recognize that complex systems cannot be easily changed, and that system failures can cause lasting damage to efforts to encourage their use. ONC should facilitate pilot programs to test and retest system requirements to ensure reliable, accurate, scalable solutions before requiring healthcare partners to invest scarce time, energy and resources into developing, testing and learning new systems.

Recommendation #3: Support private-public partnerships around consumer health technology literacy. A recent study published by two nationally renowned consumer groups[1] found that consumers lack health technology literacy despite the fact that our healthcare system is becoming more connected and digitized. Consumers not only need to understand how to use the digital platforms, but they need to understand the uses, benefits and risks of emerging health technologies. The study also found that consumer trust is compromised when they do not understand their health data access rights and what trusted tools are available to access and use their information. To gain and maintain consumer trust, consumers need information about how to keep their healthcare information private and secure, including when sharing with third parties—especially with those outside of the HIPAA environment—so that consumers can make informed choices. To increase consumer health technology literacy, the ONC should support and partner with consumers, providers and plans to engage in health technology literacy efforts to empower consumers and enhance consumer trust.

2) Strategies to Enhance the Delivery and Experience of Care

BCBS Plans agree that health IT is a vital tool in healthcare to ensure safety, quality of care and transparency, with the potential to reduce administrative burdens while driving efficiency. To achieve these goals, it is essential that ONC promote identity solutions to ensure accurate patient matching across data systems to enable interoperability and transparency.

Recommendation #1: Support and partner with the private sector to develop and scale patient matching solutions. Patient matching is foundational to interoperability and consumers' ability to gain the benefits of health IT. BCBSA has extensive experience in creating solutions with algorithmic rules engines to ensure members and their health data are properly matched. Based on our experience, it will be critical for ONC to leverage available public and private sector patient matching solutions and to align the necessary data elements with ONC's U.S. Core Data for Interoperability (USCDI) elements. Specifically:

- **Leverage the available public-private sector patient matching solutions**. Before mandating any additional sets of data collection standards, ONC should engage in public-private initiatives to solve the patient matching challenge. The selection of standards and algorithmic solutions will require broad stakeholder input and acceptance for a high level of accuracy. A single algorithm solution may not be applicable to all patient data sets.

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[1] https://www.aarp.org/content/dam/aarp/ppi/2020/01/shaping-the-future-of-digital-health.doi.10.26419-2Fppi.00093.001.pdf

- **Prioritize accuracy.** Patient information must be matched appropriately. No health IT system will be useful if patients are not accurately identified.

- **Align patient matching data elements on a modified USCDI.** It is essential to align industry standards on the USCDI demographic data (with minor modifications) as a starting point. ONC should continue to explore requirements for electronic health record data capture; there may be data elements available in current records that will assist in accurate patient matching. We also suggest including patient-provided data elements in the matching algorithm.

Recommendation #2: Focus on providing consumers with secure, meaningful and actionable data that is relevant to their healthcare decision-making. BCBS Plans in all 50 states provide consumer-focused tools to help members estimate the range of costs for specific "shoppable" procedures across providers in their communities. Shoppable services are non-emergent and are typically offered by multiple providers in a region so consumers have an opportunity to consider several providers and delivery settings prior to receiving care. All Plans are also continuously working to innovate and improve their consumer tools, incorporating requests, feedback and insights from our members.

While we support ONC's vision of a competitive, transparent and affordable healthcare market, we are concerned that certain strategies would not support effective consumer decision-making. At the same time, those strategies will impose costly, unworkable and unnecessary burdens on stakeholders and divert resources from efforts already under way to develop useful, sophisticated consumer transparency solutions. ONC should focus on providing the following information:

- **Concentrate on consumer cost-sharing:** We enthusiastically support providing robust tools allowing consumers to obtain information on the cost and quality of shoppable services across providers tailored to the members' own coverage and benefits, including information on co-pays and progress towards meeting deductibles. We believe consumer transparency policy should focus on the shoppable services to serve what healthcare consumers seek.

- **Spotlight provider quality:** We support efforts to integrate quality information (when available) with cost information, so consumers can make truly informed decisions. We also recommend CMS and ONC consider opportunities to centralize certain relevant quality information.

3) **Strategies to Build a Secure, Data-driven Ecosystem to Accelerate Research and Innovation**

We strongly support ONC's drive toward an integrated ecosystem that collects data from multiple sources, using secure, standards-based APIs to provide access to and use electronic health records. BCBSA and its member Plans have engaged in numerous initiatives to empower patients by providing online consumer tools, leading the the HL7 FHIR API standards development effort through the DaVinci Project, and as active participants in the CARIN Alliance Workgroups. More specifically, we believe the following are key to achieving ONC's goals.

Recommendation #1: Developing a common vocabulary. We agree that standardization of content and vocabulary standards for electronic health data is critical to truly harness the benefits of interoperability and support ONC's efforts in this area.

Recommendation #2: Mandating robust security. We continue to be concerned that consumer data passed or accessed through APIs will not remain private, confidential and secure. Health insurance issuers are subject to HIPAA's stringent privacy and security requirements; third-party developers are not. We urge ONC to address this concern by either requiring third-party applications to comply with HIPAA privacy and security requirements or adopting equally stringent policies and enforcement measures that apply to third parties or their applications.

4) **Strategies to Connect Healthcare and Health Data through an Interoperable Health IT Infrastructure**

We are encouraged by ONC's commitment to advance the development of health IT capabilities, and we support its goal to establish transparent expectations and promote privacy and security of individual's personal health information. We believe that interoperability, security and privacy are essential to realize the benefit of health IT.

Recommendation #1: Increase ONC engagement to enable interoperability. We share ONC's sense of urgency in advancing interoperability and encourage ONC to support those private sector activities that are necessary to achieve this end.

Recommendation #2: Prioritize consumer privacy. ONC should require third parties with access to personal health information to comply with privacy and security standards at least as stringent as HIPAA.

Recommendation #3: Require vetting of third-party applications. ONC should partner with the appropriate federal agencies and existing industry organizations to develop a vetting process for third-party applications on their adequacy and compliance with ONC API certification criteria. Having this process in place as APIs come online will be important to establishing public confidence in the privacy, confidentiality and security of consumer data moving through these applications.

Recommendation #4: Consider funding open source alternatives. Development of technological solutions takes time and resources. In order for interoperability to truly work, all organizations—from the largest hospital systems to the smallest doctor's office—must be able to access electronic health records systems and other health IT products. ONC should make adoption as easy and painless as possible by helping to fund the development of open source solutions.

Recommendation #5: Consider funding technology and communications infrastructure. ONC recognizes that not all entities have the same access to broadband and other technologies. Telehealth and other healthcare innovations will be less effective if the infrastructure is not available for those most in need. ONC should partner with other federal agencies to prioritize the development of a robust technological infrastructure for all Americans.

We welcome the opportunity to discuss our comments with you and your staff and would be happy to provide additional details on any of the recommendations discussed above. If you have questions, please contact Lauren Choi, Managing Director for Health Data and Technology Policy at Lauren.Choi@bcbsa.com, or 202.626.8639.

Sincerely,

Kris Haltmeyer
Vice President, Legislative and Regulatory Policy
Office of Policy and Representation