

**MINUTES OF THE MAY 7, 2013 MEETING  
OF THE REGIONAL HIE WORKGROUP OF THE GOVERNING  
BOARD OF THE ILLINOIS HEALTH INFORMATION EXCHANGE  
AUTHORITY**

The Regional HIE Workgroup (“Workgroup”) of the Board of Directors (“Board”) of the Illinois Health Information Exchange Authority (“Authority”), pursuant to notice duly given, held a meeting at 3:00 p.m. on May 7, 2013 at the James R. Thompson Center, 100 W. Randolph St., Chicago, Illinois 60601, with a telephone conference call capability.

<u>Appointed Workgroup Members Present:</u> Mr. David Holland (by phone) Dr. Nancy Newby (by phone) Dr. Cheryl Whitaker (by phone)	<u>OHIT Staff Present:</u> Raul Recarey, Mark Chudzinski, Mark Pellegrino, Daniel Procyk, Aneta Adugalska
<u>Invited Guests:</u> Charles Cox, MCHC Metro Chicago HIE Jodi Sessano, MCHC Metro Chicago HIE Joy Duling, Central Illinois Health Information Exchange Peter Ingram, Sinai Health System	<u>Invited Guests:</u> Phil Wasson, TriRivers Health Partners Aaron Brooks, Esq., TriRivers Health Partners

*Call to Order and Roll Call*

Mr. Mark Chudzinski, as Secretary to the Board, welcomed the appointed members of the Workgroup as well as the invited guests. Mr. Chudzinski confirmed the presence of the participants noted above, and the ability of those participating by teleconference to clearly hear and participate. There were no objections expressed to the participation of Workgroup members by electronic means.

*Approval of Minutes*

The minutes of the Workgroup meeting, that took place on April 3, 2013, were approved.

*Legislative and Regulatory Update*

Mr. Mark Chudzinski, General Counsel of OHIT, provided an overview of HB1017, which was passed unanimously by the Illinois House on March 8, 2013, and has been sent to the Illinois Senate for consideration. Following the passage of the bill in the Illinois House, concerns were raised by a few regional health information exchanges regarding exactly which HIEs would enjoy the benefits of the HIE exception created pursuant HB1017.

To address the expressed concerns of the existing regional HIEs, OHIT, with the assistance of the Illinois Hospital Association (IHA), drafted an amendment to HB1017 that will be presented to the Senate on May 7, 2013. In pertinent part, the amendment:

1. Modifies the definition of HIE to allow existing regional HIEs to be grandfathered under HB1017 through inclusion in the membership of the Authority's Regional HIE Workgroup; (Sec. 2)
2. Removes language that referred to "certifying or approving" regional HIEs, as well as language regarding collection of fees for that purpose (Sec. 2); and
3. Provides that the ILHIE Authority may establish a statewide standard for "opt-out" consent and allows for an annual technical review of HIE capabilities for the purposes of "granular" patient consent. (Sec. 9.6)

After review, the Workgroup recommended proposing Resolution 2013-04 to the Board, which would appoint six regional HIEs as institutional members of the Board's Regional HIE Work Group. Although the Bill faces moderate opposition before the Senate Committee, if passed, it should sign into law by June or July of 2013.

In the ensuing discussion it was clarified that Northern Illinois Health Information Exchange and TriRivers Health Information Technology should be represented separately on the HIE Work Group. Likewise, it was proposed that the Chair of the Work Group would be the Chair of the Authority Board or a Director designated by the Board's Chair.

#### *Work Plan*

Mr. Chudzinski proposed a number of items as potential areas of concern for the Workgroup. They are as follows: 1) the form and content of opt-out, 2) meaningful disclosure, 3) breach notification protocol for State and Regional HIE's, and 4) the annual technology review requirements for the purposes of granular patient consent. Although it was noted that early precedent for these areas was establishing itself nationally, many issues, unique to Illinois, deserved the attention of the Workgroup. The proposed items were favorably received by the Workgroup and a meeting date for a Patient Consent Management Workshop was provisionally set for June 12, 2013.

#### *Establish Quarterly meeting schedule*

Future meetings will depend on the progress of the Bill through the Senate and House. Tentative reservations will be made for June, July and September. In-person meetings were urged.

#### *Next Steps and Wrap Up*

Dr. Cheryl Whitaker recommended discussing Regional HIE work group administrative procedures during the next Workgroup meeting.

APPROVED 7/29/13

It was agreed that Dr. Cheryl Whitaker would continue on as Chair of the Regional HIE Committee and that the recent Board resolution would be updated accordingly.

*Public Comment*

*Adjournment*

The meeting was adjourned at 3:47 p.m.

Minutes submitted by: Daniel Procyk, Esq.

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