

**IL HIE Legal Task Force
General PHI Meeting
February 9, 2011
Meeting Notes**

Attended by Phone:

Tracey Salinski, Arnstein & Lehr
Valerie Montague, Ungaretti & Harris
Patricia King, Swedish Covenant Hospital
Monique Anawis, John Marshall Law School
Marcia Matthias
Melissa January, Dinker Biddle & Reath, LLP

Office of Health Information Technology
David Kim

Patricia King opened the meeting at 2:00PM, hosted by OHIT at the State of Illinois J.R. Thompson Center in Downtown Chicago and a telephone conference call-in number. It was noted that notice of the meeting and the agenda were posted on the OHIT website and at the Chicago meeting location no later than 48 hours prior to the meeting. Roll was taken, and the ability of those attending by telephone to hear and participate was confirmed.

The first item for business was the approval of the minutes from the previous meeting from January 26, 2011. A motion to approve the minutes was made and the motion was seconded. The motion was approved and the minutes were adopted.

Next the group discussed the revised tracking tool. Patricia King noted that the Personal Information Protection Act, HIPAA provisions, and Business Associates under HIPAA were added as a result of the discussion from the last meeting. The Analysis Worksheet from Behavioral Health was going to be adapted for use for the General PHI, but is not ready for use. A format will be forwarded to the group as soon as possible. Pat asked for any other potential statutes to add to tracking tool. There were no new suggestions

One group member asked about potential overlap with other workgroups. In particular, the group member asked about the Mental Health Developmental Disability Act since there were specific provisions concerning consent of minors within the act. The group member was wondering if that act was something the General PHI Workgroup would look at or was this something that belonged to the Behavioral Health Workgroup. Another member mentioned that another workgroup faced a similar issue. It was stated in that workgroup that any overlap would be taken to the Executive Committee to resolve the overlap.

It was planned to send to the group an Analysis Worksheet adapted for the General PHI Workgroup by the end of the week.

Melissa January volunteered to look at the Personal Information Protection Act.

Patricia King noted that there will be more HIPAA provisions that will have to be looked at, specifically Business Associates. One group member mentioned that under the HITECH Act that HIEs are considered Business Associates.

Tracey Salinski offered to look into the Business Associates issue.

The group turned to setting up the next meeting time. A tentative meeting date of March 2, 2011 at 10:30AM was set.

There was no public comment offered in response to the Patricia King's invitation for public comment.

The Meeting adjourned at 2:22PM.