

**MINUTES OF THE FEBRUARY 28, 2012, MEETING
OF THE COMMITTEE OF THE WHOLE
OF THE GOVERNING BOARD OF THE
ILLINOIS HEALTH INFORMATION EXCHANGE AUTHORITY**

The Board of Directors (the “Board”) of the Illinois Health Information Exchange Authority (“Authority”), pursuant to notice duly given, held a meeting at 10:30 a.m. on February 28, 2012, at the Hay Edwards Building in Springfield, IL, with telephone and video conference capabilities.

<p><u>Appointed Members Present:</u> 1. Mr. David Holland 2. Dr. William Kobler 3. Dr. Nancy Newby 4. Dr. Nicholas Panomitros 5. Dr. Bruce Wellman 6. Dr. Cheryl Whitaker</p>	<p><u>Appointed Members Present by telephone/video conference:</u> 1. Dr. Bechara Choucair 2. Mr. Mark Neaman</p>
<p><u>Ex-Officio Members Present:</u> 1.DPH – Mr. David Carvalho 2.HFS – Director Julie Hamos 3. OOG – Mrs. Amy Sagen</p>	<p><u>Ex-Officio Members Present by video conference:</u> 1. DHS – Mrs. Susan Locke</p>
<p><u>OHIT Staff Present:</u> Mark Chudzinski; Connie Christen; Saroni Lasker; Mary McGinnis</p>	<p><u>OHIT Staff Present by video conference :</u> Laura Zaremba; Ian Bertorelli; Diego Estrella; Krysta Heaney; Danny Kopelson; Saro Loucks; Matt Schmidt; Cory Verblen</p>
<p><u>Ex-Officio Members Absent:</u> 1. DOI – Mrs. Colleen Burns</p>	<p><u>Vacancies:</u> Executive Director</p>

Call to Order and Roll Call

Dr. Cheryl Whitaker welcomed the appointed and ex-officio members of the Illinois Health Information Exchange Authority, as well as the members of the general public in attendance. Mr. Chudzinski, Secretary to the Board, confirmed the presence of the Members of the Authority Board noted above. There were no objections from the members of the Authority Board to the participation by telephone or video conference of Mr. Mark Neaman and Dr. Bechara Choucair, who had advised the Secretary in advance of their attendance by electronic means necessitated by business or employment purposes. Dr. Whitaker noted that today’s meeting of the Committee of the Whole was informational, and that the Board would not be making any decisions on any matters scheduled to be discussed and voted upon later that day.

Overview of Rule Making Process

Acting Executive Director Ms. Laura Zaremba provided an introduction to the rule making process and noted in particular how Board members should address ex parte communications. Once proposed Authority rules are filed with the Secretary of State, all communication between Board members and members of the public regarding such pending rules must be reported to the State. The rule making process is designed to be open to the public, and it is advised that members of the Board advise third parties wishing to discuss any proposed Authority rule to take advantage of the public comment process to express their views.

Once approved, the Acting Executive Director will submit the text of the proposed Rules to the Illinois Secretary of State for publication in the Illinois Register. OHIT staff will solicit and receive comments from the Secretary of State, the State of Illinois Joint Committee on Administrative Rules (JCAR), stakeholders, and other interested members of the public before the text is finalized and published. The Authority can schedule public hearings on the proposed Rules, and must do so if requested by the Governor, JCAR, an association representing over 100 people, 25 individuals, or a local government. The public will have 45 days to comment on a proposed Rule after its publication with the First Notice, before the ILHIE Authority can file a Second Notice with JCAR. JCAR then has 45 days to reach a decision in which to oppose the proposed Rule.

Overview of Resolution 2012-02

Mr. Chudzinski reported that the Internal Rules provide the general public details regarding the Authority's structure and the process for obtaining documents from the Authority for inspection and copying. It is aimed at providing the public information regarding the organizational structure of the Authority and contact information to facilitate public interaction with the Authority, including the location of the Authority's books and records and the means by which members of the public will have access to the Authority's public records for inspection and copying.

Overview of Resolution 2012-03

Mr. Chudzinski reported that the Agency Data Rules protects certain information obtained by the Authority from the Department of Health and Family Services. To enable the development of certain ILHIE directories, OHIT will be obtaining certain data from the Illinois Department of Health and Family Service (HFS), including data regarding the recipients of Public Aid. The Public Aid Code requires that State agencies receiving such data must adopt rules regarding the protection and use of such data. The Authority and its agents and subcontractors are prohibited from disclosing any information about a recipient or public aid record, except for purposes directly related to the administration of the assistance programs, including those assuring the health and safety of the public aid applicants or recipients. Use of such information for commercial, personal, or political purposes is specifically prohibited.

Overview of Resolution 2012-04

Mr. Chudzinski reported that the Registration Rules provide that certain health information exchange service providers will be required to provide the Authority information regarding their operations in the State of Illinois. The proposed reporting entities include emerging sub-State HIE initiatives and other service providers such as Health Information Services Providers (HISPs) that facilitate secure messaging use the national Direct protocol, and electronic gateway services providers that facilitate the exchange of e-prescribing pharmaceutical information and the exchange of health information laboratory results. Pursuant to the Registration Rules, the Authority would collect information from the registrants with respect to the following five subject areas: entity structure; security and privacy measures; technical interoperability; service provision; and business operations. An applicant may designate specific information reported as proprietary, for confidential treatment by the Authority in accordance with the provisions of the Illinois Freedom of Information Act. The Acting Executive Director may specify the form and manner of registration, and may with good cause in furtherance of the public interest waive or modify the application of the reporting requirements to specific registrants.

Preview of Board Meeting

Dr. Whitaker reviewed the Agenda for the upcoming meeting of the Board, to be formally convened after the conclusion of lunch at noon. The Board will be asked to vote on:

Item 3: Approval of January Meeting Minutes

Item 7: Resolution to Create Regional Health Information Exchange Workgroup

Item 9: Adoption of Rule Making Resolutions

Public Comment

There were no public comments offered in response to the Chair's invitation.

Adjournment

The meeting was adjourned at noon.

Minutes submitted by:

Mark Chudzinski, Secretary