



**California Health & Human Services Agency  
Center for Data Insights and Innovation  
Data Exchange Framework Stakeholder Advisory Group  
Meeting Summary  
Thursday, March 3, 2022, 10:00 a.m. to 1:00 p.m.**

**Attendance**

**Stakeholder Advisory Group Members in attendance:** Ashrith Amarnath, Charles Bacchi, Andrew Bindman, Mark Beckley, Scott Christman, Rahul Dhawan, Kayte Fisher, David Ford, Liz Gibboney, Lori Hack, Sandra Hernandez, Brent Houser, Cameron Kaiser, Andrew Kiefer, Linnea Koopmans, Cheryl Larson, Matt Legé, David Lindeman, Amanda McAllister-Wallner, DeeAnne McCallin, Ali Modaresi, Dana Moore, Erica Murray, Nathan Nau, Janice O'Malley, Mark Savage, Kiran Savage-Sangwan, Linette Scott, Cathy Senderling-McDonald, Jim Switzgable, Claudia Williams, Leslie Witten-Rood, William York

**Stakeholder Advisory Group Staff and Presenters in attendance:** Dr. Rim Cothren (Independent HIE Consultant to CDII), Jonah Frohlich (Manatt Health Strategies), Kevin McAvey (Manatt Health Strategies), Marko Mijic (CalHHS), John Ohanian (CalHHS/CDII), Jennifer Schwartz (CalHHS/CDII), Elaine Scordakis (CalHHS/CDII), Micky Tripathi (ONC), Khuoa Vang (CalHHS/CDII)

**Public in attendance:** approximately 124 public attendees joined this meeting via Zoom video conference or through call-in functionality.

**Meeting Notes**

Meeting notes elevate points made by presenters, Stakeholder Advisory Group Members, and public commenters during the Data Exchange Framework Stakeholder Advisory Group meeting. Notes may be revised to reflect public comment received in advance of the next Stakeholder Advisory Group meeting. Meeting materials, full video recording, transcription, and public comments may be found at: <https://www.chhs.ca.gov/data-exchange-framework/>.

**Welcome and Roll Call**

John Ohanian, Chief Data Officer, California Health & Human Services, welcomed attendees and noted that CalHHS Secretary, Dr. Mark Ghaly was unable to attend due to his attendance being requested by the Governor for a press conference regarding the launch of CarePort, a program for individuals with serious mental illness. John thanked Stakeholder Advisory Group members for the feedback they provided on the potential opportunities to address gaps in data standards, provider identity management, and consumer data access, and requested additional feedback on the updates to the opportunities presented by Thursday, March 10<sup>th</sup>.

Stakeholder Advisory Group Members were named and introduced via roll call, including the following new members and delegates:

- Brent Houser, California Department of State Hospitals (new member)
- Jim Switzgable (delegate for Nancy Bargmann), Department of Developmental Services
- Cheryl Larson (delegate for Diana Toche), Department of Corrections and Rehabilitation

### **Vision and Meeting Objectives**

Marko Mijic, Undersecretary, thanked Stakeholder Advisory Group Members and public attendees for their continued engagement in the Data Exchange Framework development process. Marko acknowledged the importance of the different perspectives Stakeholder Advisory Group members bring and emphasized the need for their forthright feedback in developing a Data Exchange Framework that realizes the vision for data exchange in California. He stressed that this is a once in a generation opportunity to improve data exchange and the lives of Californians.

### **Considering a Potential Model for Governance**

Jonah Frohlich, Senior Managing Director, Manatt Health Strategies, described the AB 133 implementation timeline for the Data Exchange Framework, key questions for Stakeholder Advisory Group, the need and rationale for Data Exchange Framework governance, the purpose and goals of governance, the governance legal and contractual framework, and the core governance functions under the proposed governance model. Jonah also introduced stakeholder roles and relationships under the proposed governance model and noted that discussion of this subject would continue during the next Stakeholder Advisory Group meeting.

Stakeholder Advisory Group Members offered differing perspectives on the form of the Data Exchange Framework governance model. A few Members voiced concern that AB 133 only authorize the Advisory Group to assess governance options and not to advance recommendations about the functions and form of governance. The majority of Members however disagreed with that proposition, and generally agreed on the proposed governance functions. There was not consensus however on the form of the governing structure, and Members requested additional time at the next Advisory Group meeting to discuss further. Stakeholder Advisory Group Member feedback included, but was not limited to:

- Governance legal and contractual framework
  - Integrate the concept that providers can meet their obligations under the Data Exchange Framework by connecting to a qualifying data exchange intermediary.
- Functions of governance

- **5. Enforcement and monitoring compliance with P&Ps, requirements and guidelines**
  - The state should conduct additional stakeholder engagement before formally establishing enforcement processes in the Data Exchange Framework. It will also be important to note that enforcement would follow the development of policies and procedures.
  - Clarify that enforcement relates to Data Exchange Framework and the data sharing agreement's policies, procedures, and requirements that are within California's purview and not to federal requirements.
  - The state should align oversight authorities with other state agencies as different stakeholders subject to AB 133 are regulated by different state agencies.
- **7. Program development and financing**
  - Include program evaluation in order to track progress against the goals of AB 133.
- **9. Communications and education**
  - Include educating consumers about their rights with respect to data sharing and what the Data Exchange Framework will mean for them.
- In general, Members noted that it is important that Data Exchange Framework governance functions align with TEFCA.
- Form of governance
  - Members generally indicated support for Data Exchange Framework governance to be housed within CalHHS and supported by state government.
  - Some Members suggested that California consider other forms of governance models including:
    - Models with an oversight board or commission, similar but not necessarily identical to Covered California, to govern the Data Exchange Framework, with members appointed by the governor, Secretary and/or legislature.
    - A hybrid model under which certain governance functions are delegated to an oversight board or commission and others are delegated to CalHHS/CDII.
      - Stakeholder Advisory Group members offered to send additional details on the structure of a hybrid governance model.
  - The form of governance should ensure that there is adequate representation for county and local governments.
    - A stakeholder Advisory Group member suggested including the California Conference of Local Health Officers' Health Systems Integration committee as a potential advisory group in the governance structure.

- Other feedback included:
  - Questions as to whether AB 133 authorized CalHHS to establish, and the Stakeholder Advisory Group to advise on, the Data Exchange Framework governance on an ongoing basis (after July 1, 2022).
  - California should use ONC's advisory committees as a model rather than examples of network governance.
  - Requests for clarification on the substance and timing of the April 2022 report to the legislature required by AB 133.

## Public Comment

John Ohanian opened the meeting to public comment, which included:<sup>1</sup>

- John Helvey, SacValley MedShare, thanked CalHHS and the Stakeholder Advisory Group for their work in advancing the Data Exchange Framework. John emphasized the importance of ensuring that governance is optimized at the state and federal levels and the importance of funding, particularly for HIE infrastructure and small providers, to achieve the objectives of AB 133.
- Steven Lane, Sutter Health, supported the focus on small providers and those who haven't been able to enjoy the benefits of interoperability, and noted that large providers who are already interoperating also need to have a voice in the governance of the Data Exchange Framework.

## Digital Identities Strategy Update

- Dr. Rim Cothren, Independent HIE Consultant to CDII, reviewed the statutory requirements and workplan for the Digital Identities Strategy and provided a status update on engagement with Focus Groups. Rim walked through three key themes that emerged during the first five focus groups meeting, including:
  - Focus on linking data to the correct individual
  - Include data elements demonstrated to aid in person resolution
  - Consider an option that includes a statewide index
- Rim requested suggestions from the Stakeholder Advisory Group on potential members for the Privacy and Security and Health Plan focus groups.
- Rim also requested Stakeholder Advisory Group member feedback on two discussion questions:
  - Does the focus on linking records over a statewide "golden record" for each individual meet DxF priorities and principles?
  - Are there any concerns over the emerging strategies that should be addressed by the focus groups?
- Stakeholder Advisory Group member feedback on the digital identities strategy included:
  - Support for linking records rather than trying to create a golden record, even though linking records is still a difficult and manual process. Medi-Cal has an extensive master patient index that could be built upon.

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<sup>1</sup> Name spelling approximated based on verbal statements.

- Suggestion to monitor and learn from the CARIN Alliance consumer identity project being done for ONC, which is a proof of concept project testing TEFCA standards for consumer identities.
- With regard to the first discussion question, consider Californians' access to their longitudinal health information as a foundational use case.

### **Data Sharing Agreement Subcommittee Update**

Jennifer Schwartz reviewed the topics that were covered during the fourth Data Sharing Agreement Subcommittee meetings and the agenda for the fifth Data Sharing Agreement Subcommittee meeting (materials from Data Sharing Agreement Subcommittee meetings can be found at: <https://www.chhs.ca.gov/data-exchange-framework/>). Jennifer also noted that draft components of the Data Sharing Agreement are posted on the [Data Exchange Framework website](#) and public comment will be accepted during the to be specified public comment period.

Stakeholder Advisory Group Members feedback on the Data Sharing Agreement Subcommittee update included:

- Suggestions to avoid imposing a minimum necessary standard on treatment uses of data since doing so is out of alignment with TEFCA and the policies of national networks.

### **AG 5 Gaps & Opportunities Update & Closing Remarks**

John Ohanian thanked Stakeholder Advisory Group Members for their feedback on the opportunities to address gaps in data exchange standards, provider identity management, and consumer data access. John summarized the updates that were made to the opportunities and noted that stakeholder feedback as well as a complete redline of the updates is available on the Data Exchange Framework website. He requested stakeholder input on the updates by Thursday, March 10<sup>th</sup>.

Regarding Stakeholder Advisory Group Member questions about potential funding requests for Data Exchange Framework initiatives, John noted that CDII will consider market gaps that will benefit from additional public and private investment as part of its normal budgetary request process. He reiterated that state budget discussions are confidential, and he would not be able to speak further to process or potential requests, except to note that the successful implementation and governance of a DxF is an Agency and CDII priority.

John reviewed project next steps and noted that the next Stakeholder Advisory Group meeting is scheduled for April 7<sup>th</sup>.

John concluded by introducing, Micky Tripathi, National Coordinator for HIT.

### **TEFCA Overview**



Micky Tripathi provided an overview of the development process, vision, and next steps for TEFCA and fielded questions from Stakeholder Advisory Group members. He suggested that states seeking to advance HIE should align with TEFCA to the extent possible, and he welcomed California to continue to engage with ONC as TEFCA and the California Data Exchange Framework continue to be developed.

**Appendix 1. Data Exchange Framework Stakeholder Advisory Group Member - Meeting Attendance (March 3, 2022)**

Last Name	First Name	Title	Organization	Designee	Present
Ghaly	Mark	Secretary (Chair)	California Health and Human Services Agency	N/A	Yes
Almanza	Jamie	CEO	Bay Area Community Services	N/A	No
Amarnath	Ashrith	Medical Director	California Health Benefit Exchange	N/A	Yes
Bacchi	Charles	President and CEO	California Association of Health Plans	N/A	Yes
Beckley	Mark	Chief Deputy Director	Department of Aging	N/A	Yes
Bindman	Andrew	Executive Vice President; Chief Medical Officer	Kaiser Foundation Health Plan, Inc. and Hospitals	Adams	Yes
Cabrera	Michelle Doty	Executive Director	County Behavioral Health Directors Association of California	N/A	No
Christman	Scott	Chief Deputy Director	Department of Health Care Access and Information	N/A	Yes
Cowling	David	Chief, Center for Information	California Public Employees' Retirement System	N/A	No
Coyle	Carmela	President and CEO	California Hospital Association	N/A	No
Dhawan	Rahul	Associate Medical Director	MedPoint Management (representing America's Physician Groups)	Crane	Yes
Diaz	Joe	Senior Policy Director and Regional Director	California Association of Health Facilities	Cornett	No
Fisher	Kayte	Attorney	Department of Insurance	N/A	Yes
Ford	David	Vice President, Health Information Technology	California Medical Association	Corcoran	Yes
Gibboney	Liz	CEO	Partnership HealthPlan of California	N/A	Yes
Gibbons	Michelle	Executive Director	County Health Executives Association of California	Chawla	No

Last Name	First Name	Title	Organization	Designee	Present
Hack	Lori	Interim Executive Director	California Association of Health Information Exchanges	N/A	Yes
Hernández	Sandra	President and CEO	California Health Care Foundation	N/A	Yes
Houser	Brent	Chief Deputy Director, Operations	Department of State Hospitals	N/A	Yes
Kaiser	Cameron	Deputy Public Health Officer	County of San Diego (representing the California Conference of Local Health Officers)	Relucio	Yes
Kiefer	Andrew	Vice President, State Government Affairs	Blue Shield of California	Markovich	Yes
Koopmans	Linnea	CEO	Local Health Plans of California	N/A	Yes
Larson	Cheryl	Director & CIO	Department of Corrections and Rehabilitation	Toche	Yes
Legé	Matt	Government Relations Advocate	SEIU California	N/A	Yes
Lindeman	David	Director, CITRIS Health	UC Center for Information Technology Research in the Interest of Society	N/A	Yes
Lo	Julie	Executive Officer	Business, Consumer Services & Housing Agency	N/A	No
McAllister-Wallner	Amanda	Deputy Director	Health Access California	Wright	Yes
McCallin	DeeAnne	Director of Health Information Technology	California Primary Care Association	Beaudry	Yes
Modaressi	Ali	CEO	Los Angeles Network for Enhanced Services	N/A	Yes
Moore	Dana E.	Acting Deputy Director	Department of Public Health	N/A	Yes
Murray	Erica	President and CEO	California Association of Public Hospitals and Health Systems	N/A	Yes
Nau	Nathan	Deputy Director, Office of Plan Monitoring	Department of Managed Health Care	N/A	Yes



Last Name	First Name	Title	Organization	Designee	Present
O'Malley	Janice	Legislative Advocate	California Labor Federation	Pulaski	Yes
Savage	Mark	Managing Director, Digital Health Strategy and Policy	Savage & Savage LLC	N/A	Yes
Savage- Sangwan	Kiran	Executive Director	California Pan-Ethnic Health Network	N/A	Yes
Scott	Linette	Chief Data Officer	Department of Health Care Services	N/A	Yes
Senderling- McDonald	Cathy	Executive Director	County Welfare Directors Association	N/A	Yes
Switzgable	Jim	Deputy Director	Department of Developmental Services	Bargmann	Yes
Vignalats	Julianna	Assistant Deputy Director	Department of Social Services	N/A	No
Williams	Claudia	CEO	Manifest MedEx	N/A	Yes
Witten-Rood	Leslie	Chief, Office of Health Information Exchange	Emergency Medical Services Authority	N/A	Yes
York	William	President and CEO	211 San Diego/Community Information Exchange	N/A	Yes