



**California Health & Human Services Agency
Center for Data Insights and Innovation
Data Exchange Framework Implementation Advisory Committee
Data Sharing Agreement Policies and Procedures Subcommittee
Meeting 2 Transcript (10:00AM – 12:30PM PT, October 25, 2022)**

The following text is a transcript of the October 25th meeting of the California Health & Human Services Agency and Center for Data Insights and Innovation Data Exchange Framework Implementation Advisory Committee, Data Sharing Agreement Policies and Procedures Subcommittee. The transcript was produced using Zoom's transcription feature. It should be reviewed concurrently with the recording – which may be found on the CalHHS Data Exchange Framework [website](#) to ensure accuracy.

1

00:00:00.000 --> 00:00:00.710
Morgan Staines, DHCS (he): Gamma.

2

00:00:35.870 --> 00:00:42.249
Mario S - Manatt Events: Hello, and welcome to today's program. My name is Mario and I'll be in the background answering any zoom technical questions.

3

00:00:42.550 --> 00:00:53.270
Mario S - Manatt Events: If you experience technical difficulty during this session. Please type your question into the Q. And A. Section located at the bottom of your zoom Webinar viewer and a producer will respond.

4

00:00:54.880 --> 00:01:02.889
Mario S - Manatt Events: During today's event Live close captioning will be available. Please click on the Cc button at the bottom of your zoom window to enable or disable

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00:01:03.600 --> 00:01:07.359
Mario S - Manatt Events: Emma will now cover the meeting participation options.

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00:01:09.530 --> 00:01:17.280
Emma P - Manatt Events: Participants may submit comments and questions through the Zoom. Q. A. Box. All comments will be recorded and reviewed by subcommittee staff

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00:01:17.300 --> 00:01:27.450

Emma P - Manatt Events: participants may also submit comments and questions, as well as requests to receive data, Exchange framework updates to Cdi at Chhs Dot Cov

8

00:01:28.360 --> 00:01:39.320

Emma P - Manatt Events: for spoken comments today. Participants must raise their hand for zoom facilitators to unmute them. To share the chair will notify participants or members of appropriate times to volunteer feedback.

9

00:01:39.330 --> 00:01:49.659

Emma P - Manatt Events: If you logged on by the zoom interface, press, raise hand and the reactions area, and if selected to share your comment, you'll receive a request to unmute. Please ensure you. Accept before speaking.

10

00:01:49.670 --> 00:02:02.099

Emma P - Manatt Events: If you logged on by a phone only Press Star nine on your phone to raise your hand, listen for your number to be called, and if selected to share your comment, please ensure you are unmuted on your phone by Pressing Star. Six

11

00:02:03.780 --> 00:02:22.130

Emma P - Manatt Events: public comment will be taken during the meeting at designated times, it will be limited to the total amount of time allocated for public comment on particular issues. The chair will call on individuals in the order in which hands were raised. Individuals will be recognized for up to two minutes, and are asked to state their name and organizational affiliation at the top of their statements.

12

00:02:22.140 --> 00:02:34.829

Emma P - Manatt Events: Participants are encouraged to use the Q. A. Box to ensure all feedback is captured or email comments to Cdi at Chhs, Dot. Ca: and i'll now hand it over to Courtney Hansen.

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00:02:35.650 --> 00:02:36.900

Courtney Hansen: Thanks, Emma.

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00:02:42.780 --> 00:02:50.530

Courtney Hansen: Thank you all for joining us for the Second Calhs data, Exchange framework, data, sharing agreement policies and Procedures Subcommittee,

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00:02:50.610 --> 00:02:53.220

Courtney Hansen: or the Dsa. Pmp. Subcommittee.

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00:02:53.820 --> 00:03:03.060

Courtney Hansen: My name is Courtney Hansen and I'm, the Assistant Chief Council for the Center for Data Insights and Innovation or Cdi, and I am serving as your chair of the subcommittee,

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00:03:03.790 --> 00:03:11.219

Courtney Hansen: as you can see by our agenda. Uh, we have a lot of substantive content to cover today.

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00:03:11.820 --> 00:03:18.970

Courtney Hansen: The focus of today's meeting will be to discuss concepts and draft language, to inform P. Andps and development.

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00:03:19.400 --> 00:03:26.750

Courtney Hansen: We will also provide information about upcoming periods of public comment and processes for signing the Dsa.

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00:03:27.150 --> 00:03:34.560

Courtney Hansen: Before we dive in. I will begin in the meeting with a quick roll call of the subcommittee members. Please say present as I reach your name.

21

00:03:41.150 --> 00:03:43.030

Courtney Hansen: Ashish Atrea.

22

00:03:43.740 --> 00:03:44.860

Courtney Hansen: That's right.

23

00:03:47.040 --> 00:03:50.630

Courtney Hansen: Please let me know if I've missed your name and add, Pronounce it

24

00:03:58.330 --> 00:04:03.470

Courtney Hansen: Okay, uh Bill Barcelona

25

00:04:03.840 --> 00:04:05.170

Courtney Hansen: Shelly Brown.

26

00:04:11.940 --> 00:04:12.820

Right,

27

00:04:12.910 --> 00:04:14.350

Courtney Hansen: Jason Buckler,

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00:04:14.510 --> 00:04:15.640

Jason Buckner: present.

29

00:04:16.209 --> 00:04:18.130

Courtney Hansen: Good morning,

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00:04:18.510 --> 00:04:22.079

Courtney Hansen: Uh, Lewis Croatia,

31

00:04:22.810 --> 00:04:24.590

Louis Cretaro: Present and good morning.

32

00:04:24.830 --> 00:04:26.030

Courtney Hansen: Good morning,

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00:04:27.100 --> 00:04:28.669

Courtney Hansen: Matthew Eisenberg.

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00:04:28.700 --> 00:04:29.760

Matthew Eisenberg: Present,

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00:04:29.800 --> 00:04:31.240

Matthew Eisenberg: Good morning,

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00:04:32.400 --> 00:04:33.840

Courtney Hansen: and lay in Echo

37

00:04:37.080 --> 00:04:40.189

Elaine Ekpo: present and Good morning. Good morning,

38

00:04:40.640 --> 00:04:42.050

Courtney Hansen: Don a Helby!

39

00:04:42.460 --> 00:04:44.050

John Helvey: Present Good morning!

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00:04:44.210 --> 00:04:45.300

Courtney Hansen: Good morning,

41

00:04:46.120 --> 00:04:47.530

Courtney Hansen: Sanjay, John,

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00:04:47.740 --> 00:04:50.380

Courtney Hansen: and good morning,

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00:04:50.860 --> 00:04:52.270

Courtney Hansen: Brian Johnson,

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00:04:57.350 --> 00:04:58.939

Courtney Hansen: Diana, Come for Tom,

45

00:04:59.380 --> 00:05:00.919

Diana Kaempfer-Tong: hey? Morning, President

46

00:05:01.250 --> 00:05:02.319

Courtney Hansen: and winning.

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00:05:04.500 --> 00:05:09.070

Courtney Hansen: Uh, Helen. Kim is not able to be here today. Uh Steven Lane.

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00:05:09.180 --> 00:05:10.290

Steven Lane: Good morning!

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00:05:10.370 --> 00:05:11.530

Courtney Hansen: Good morning,

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00:05:13.490 --> 00:05:15.270

Courtney Hansen: Lisa Matsabara.

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00:05:15.950 --> 00:05:16.980

Lisa Matsubara: Good morning.

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00:05:17.120 --> 00:05:18.320

Courtney Hansen: Good morning,

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00:05:19.000 --> 00:05:20.450

Courtney Hansen: Devin Mcgrath.

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00:05:20.540 --> 00:05:22.590

Deven McGraw: Um present. Hello, everyone!

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00:05:22.720 --> 00:05:23.829

Courtney Hansen: Good morning,

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00:05:25.310 --> 00:05:26.480

Courtney Hansen: Leo. Pack.

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00:05:27.460 --> 00:05:28.759

Leo Pak: How's it? Good morning!

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00:05:28.920 --> 00:05:29.910

Courtney Hansen: And running

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00:05:30.600 --> 00:05:31.990

Courtney Hansen: Eric Raphael,

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00:05:36.300 --> 00:05:37.640

Courtney Hansen: Mark Savage?

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00:05:38.260 --> 00:05:39.319

Mark Savage: Good morning,

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00:05:39.740 --> 00:05:40.799

Courtney Hansen: Good morning,

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00:05:42.820 --> 00:05:43.950

Courtney Hansen: Um

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00:05:48.460 --> 00:05:49.630

Courtney Hansen: Good morning.

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00:05:50.260 --> 00:05:51.660

Courtney Hansen: Morgan stands

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00:05:51.940 --> 00:05:53.790

Morgan Staines, DHCS (he): President. Good morning, everybody.

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00:05:54.080 --> 00:05:55.070

Courtney Hansen: Morning,

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00:05:55.640 --> 00:05:58.720

Elizabeth Steffen: Elizabeth Stephen.

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00:05:58.740 --> 00:05:59.870

Courtney Hansen: Good morning,

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00:06:00.350 --> 00:06:01.590

Courtney Hansen: me, Tian.

71

00:06:01.720 --> 00:06:04.440

Lee Tien (he/him) EFF: Good morning,

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00:06:05.210 --> 00:06:06.650

Courtney Hansen: The Linda Waltman.

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00:06:06.670 --> 00:06:08.219

Belinda Waltman: Present. Good morning,

74

00:06:08.250 --> 00:06:09.470

Courtney Hansen: Good morning,

75

00:06:09.760 --> 00:06:11.190

Courtney Hansen: Kerry Wilcox

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00:06:11.310 --> 00:06:12.400

Terry Wilcox: present.

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00:06:13.250 --> 00:06:14.370

Courtney Hansen: Good morning.

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00:06:15.430 --> 00:06:16.660

Courtney Hansen: I'm right

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00:06:17.160 --> 00:06:21.010

Courtney Hansen: thank you all And now we will turn over to our

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00:06:21.180 --> 00:06:23.749

Courtney Hansen: vision meeting and objectives.

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00:06:25.100 --> 00:06:32.030

Courtney Hansen: So i'd like to begin today by reminding us all of the vision for data exchange in California, which is that

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00:06:32.090 --> 00:06:48.079

Courtney Hansen: every Californian and the Health and Human service providers and organizations that care for them will have timely and secure access to usable electronic information that is needed to address their health and social needs

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00:06:48.090 --> 00:06:54.940

Courtney Hansen: and enable the effective and equitable delivery of services to improve their lives and well-being.

84

00:06:56.830 --> 00:07:03.880

Courtney Hansen: As we deep dive today into the specifics of legal considerations and technical specifications.

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00:07:04.030 --> 00:07:08.509

Courtney Hansen: I would ask you all to keep this vision in mind, to guide the work,

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00:07:09.080 --> 00:07:13.300

Courtney Hansen: namely, that is, uh, that

87

00:07:13.440 --> 00:07:18.780

Courtney Hansen: that this is all about improving the health lives and well being of Californians

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00:07:19.460 --> 00:07:20.560

Courtney Hansen: X. Five

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00:07:22.340 --> 00:07:29.380

Courtney Hansen: as noted. The key objectives from this meeting are to discuss concepts and draft language to inform P. And P. Development.

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00:07:29.970 --> 00:07:36.359

Courtney Hansen: So with that I will turn it over to Helen for a draft language for the first set of additional Pmps and development.

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00:07:36.400 --> 00:07:53.580

Helen Pfister: Thank you. Great thanks, Courtney. So as we discussed at our last meeting together, we have prioritized the P&Ps shown on this slide for development. And these P&Ps address information, blocking, monitoring, and auditing require transaction patterns and technical requirements for exchange

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00:07:53.590 --> 00:07:57.919

Helen Pfister: real-time data exchange and the qualified hio designation process.

93

00:07:58.010 --> 00:08:00.680

Helen Pfister: Um, just one note.

94

00:08:00.750 --> 00:08:19.479

Helen Pfister: Initially, we had proposed that the required transaction patterns, P&P and the technical requirements for exchange P&P be two separate P&Ps. But upon for the reflection we thought it made sense to combine the two. Given that there are clear links between the transaction patterns that signatures will be supporting, and the

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00:08:19.490 --> 00:08:24.959

Helen Pfister: the technical requirements, specifications that will be associated with each of those transaction patterns.

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00:08:25.860 --> 00:08:27.550

Helen Pfister: Uh, next slide, please.

97

00:08:28.790 --> 00:08:46.740

Helen Pfister: So the goal for this session, as Courtney noted, is to obtain input on draft language for two P&Ps that we've already drafted um. The information blocking P&P and the monitoring and auditing P&P. And i'll warn you right up front. You got copies of this yesterday. The information blocking P&P Is lengthy

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00:08:46.750 --> 00:09:01.600

Helen Pfister: um monitoring and auditing less so. So we'll kind of like sort of keep track of where we are in timing, and I may at some point have to cut questions short if I think we're running out of time and won't be able to get to the entire through both policies in the one hour. That's that's a lot of tasks

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00:09:02.120 --> 00:09:03.500

Helen Pfister: next slide, please.

100

00:09:04.330 --> 00:09:24.040

Helen Pfister: Um. So the information blocking P&P basically prohibits participants from engaging in any practice that is likely to interfere with the access exchange for use of health and social services, information for the purposes that are required, and the permitted required and

101

00:09:24.140 --> 00:09:26.190

Helen Pfister: prohibited Purposes campaign,

102

00:09:26.320 --> 00:09:42.139

Helen Pfister: and this policy was drafted to align to the extent possible, with the Federal information blocking regulations. Since the that exchange framework participants that are health care providers will likely already be familiar with those.

103

00:09:42.250 --> 00:09:58.510

Helen Pfister: Um. But we couldn't just incorporate cross reference to Federal rules by reference, because there are elements of the Federal rules that are inconsistent with dxf framework. So instead, the draft P&P incorporates certain elements of the Federal rules, but tweaks them, so they're consistent with what we're trying to achieve here.

104

00:09:58.690 --> 00:10:18.550

Helen Pfister: We also thought about cross-referencing the relevant sections of the Federal rules as opposed to restating them in this document, but we thought that might be more challenging for smaller participants, who aren't as familiar with those rules, and that it to see everything in one place as opposed to having to flip back to the Federal regulations.

105

00:10:20.730 --> 00:10:35.320

Helen Pfister: Um couple of the comments Um, the The this policy does not have any impact on a participants obligation to comply with the Federal information Blocking rules. Um, and the policy will be effective as of January, January thirty first two thousand and twenty-four.

106

00:10:36.040 --> 00:10:47.580

Helen Pfister: Next slide, please,

107

00:10:49.610 --> 00:11:01.290

Steven Lane: mit Ctl. And thank you. Uh Stephen Lane from Senator health and health guerrilla. So what's interesting There is we're talking about health and social services, information one hundred and fifty,

108

00:11:01.300 --> 00:11:30.480

Steven Lane: and, as you say, a a lot of the the actors here. Um are familiar with the requirement to share health information, but less so uh, with the requirement to share social services, Information? Um! And And I think part of that is because there there,

as far as I know, has not been a lot of work defining what is social services, information separate and distinct from health information. You know what is the part of that that does not overlap. There is no, as far as I know us, Cdi,

109

00:11:30.490 --> 00:11:38.490

Steven Lane: ere

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00:11:38.590 --> 00:11:48.920

Steven Lane: defining what we mean specifically by social services. Information um insofar as that extends beyond what we refer to as health information,

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00:11:49.740 --> 00:12:04.930

Helen Pfister: and we do have, We do have a definition of health and social services. Information in the DSA itself. But obviously this is a bit of an iterative process, so to the extent that we think that there might be some additional explanation required, Stephen would welcome your your thoughts on that, as you as we think about this more.

112

00:12:08.820 --> 00:12:10.239

Helen Pfister: Were there other comments.

113

00:12:11.490 --> 00:12:12.940

Courtney Hansen: Go ahead, Diana.

114

00:12:13.470 --> 00:12:16.800

Diana Kaempfer-Tong: Hi. Yeah, I I want to go,

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00:12:17.030 --> 00:12:23.409

Diana Kaempfer-Tong: Stevens comment. As well, just as far as um Public health data is this

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00:12:23.610 --> 00:12:36.999

Diana Kaempfer-Tong: kind of step, child. It doesn't really fit into either health or social services. So getting a little more clarity and definition on that would help also. Um. The use of any practice in the

117

00:12:37.040 --> 00:12:39.620

Diana Kaempfer-Tong: uh opening is,

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00:12:39.810 --> 00:12:56.660

Diana Kaempfer-Tong: I would suggest adding something along intentional practice, or maybe a little more definition, because when you get into large organizations with thousands of people um having any practice could really open us up to a lot of liability. That uh, you know, we can't control for.

119

00:12:59.310 --> 00:13:02.770

Courtney Hansen: Thank you, Diana. And we

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00:13:04.440 --> 00:13:13.159

Lee Tien (he/him) EFF: yeah hi um. So two sorts of two very quick questions. First, one was uh following up on Diana's question: Is there a definition of a

121

00:13:13.960 --> 00:13:18.190

Lee Tien (he/him) EFF: of a practice? That is, I mean what what one person does

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00:13:18.230 --> 00:13:20.699

Lee Tien (he/him) EFF: may not be a practice in a large,

123

00:13:20.760 --> 00:13:40.359

Lee Tien (he/him) EFF: you know large organization, or maybe maybe it is. I'm curious about if there's multiple practices within an org um. And then the second question is because we're talking about that both health and Social Services information. I'm wondering if there are any concerns about

124

00:13:40.370 --> 00:13:41.290

Lee Tien (he/him) EFF: um

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00:13:42.440 --> 00:13:56.960

Lee Tien (he/him) EFF: about the uh re-identification of of data, because, you know, no normal inhibit The Id like is is either focused on some specific uh checklist items or sort of the more general expert

126

00:13:56.970 --> 00:14:13.679

Lee Tien (he/him) EFF: um determination. And I was curious whether the inclusion of a great deal of social services data in these in the network would materially change the We identification risks. Thanks.

127

00:14:14.170 --> 00:14:15.130

Okay,

128

00:14:15.230 --> 00:14:16.290

Helen Pfister: Thank you.

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00:14:18.780 --> 00:14:32.429

Helen Pfister: Um. And there there is a definition of practice. It's taken directly from the Federal information, blocking rules, and Nik, if you can paste that through, chat, it's it's it's very high level, but you can see exactly what it what it how it is defined at the moment in the policy.

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00:14:40.640 --> 00:14:44.500

Deven McGraw: Yeah, I wanted to comment on a couple of the comments that have come in. So

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00:14:44.710 --> 00:14:50.200

Deven McGraw: this there is in the Federal information. Blocking rules, a knowledge,

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00:14:50.690 --> 00:14:52.860

Deven McGraw: a set of knowledge standards.

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00:14:53.410 --> 00:15:03.049

Deven McGraw: Um! You have to know that the practice is information blocking. If you're a medical provider subject to the Federal information blocking rules, and you have to know, or should know,

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00:15:03.410 --> 00:15:14.530

Deven McGraw: that the practice is information blocking. Um. If you are one of the other two categories of entities that are covered by the Federal law. But the Federal law also establishes penalties,

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00:15:14.750 --> 00:15:29.400

Deven McGraw: and this is a policy and procedure related to the conduct, the the kind of conduct that we want people to engage in, and essentially a practice which, in the definitions in these Pmps, is an act or a failure to act in a mission.

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00:15:29.520 --> 00:15:43.919

Deven McGraw: It is this is it's setting up behavioral norms. So it's not subjecting anybody to liability per se it is. It just creates a set of expectations without, where the accountability mechanisms

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00:15:44.150 --> 00:15:49.169

Deven McGraw: are yet undefined, but presumably would extend to.

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00:15:49.620 --> 00:15:59.950

Deven McGraw: You know. Are you being compliant with your data sharing uh framework responsibilities. And so maybe there's some penalties that attach. But I I number one. I would hesitate to do intentional,

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00:16:00.050 --> 00:16:13.660

Deven McGraw: because um it. Intent is like this higher standard of Did you mean to block information versus did you just have a set of practices that ended up making information sharing more difficult, even if that was not your intent.

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00:16:13.910 --> 00:16:33.240

Deven McGraw: Um, so I wouldn't go there. But but but I thought when you know, when I thought through ahead of this meeting, whether we needed to add a sort of intent or knowledge Standard. I I you know, without knowing sort of what the accountability is, and that the purpose of these P. And P's is just to set sort of behavioral norms.

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00:16:33.250 --> 00:16:46.510

Deven McGraw: Um, I wasn't sure whether we wanted to go down that road. And then the other thing I would say lead to your question is that feels like a side issue that we ought to take note of around, sort of what data is subject to the data sharing framework.

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00:16:46.580 --> 00:16:56.559

Deven McGraw: Um, because at least on the Federal um rules. It is electronic health information which is identifiable, and loops in Hippa's standard, and whether we,

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00:16:56.570 --> 00:17:14.870

Deven McGraw: whether the inclusion of social services data makes makes it likely for those hipaa standards if we wanted to refer to them. Not work as well is, it feels to me

like a separate issue, Although related to everything we discuss in Ps. And P's. Then you know whether these information blocking policies are in the right place.

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00:17:15.050 --> 00:17:15.960

Deven McGraw: Thanks,

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00:17:17.150 --> 00:17:23.969

Courtney Hansen: thanks, Devin. We have two more comments that came in um, and then i'm going to. We're going to move on from there.

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00:17:24.089 --> 00:17:26.119

Courtney Hansen: Uh, Morgan, go ahead

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00:17:26.740 --> 00:17:33.060

Morgan Staines, DHCS (he): for me, telling you to describe uh, that the front of this, that that

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00:17:33.600 --> 00:17:51.170

Morgan Staines, DHCS (he): that this differs from the Federal goals, where where that didn't seem to fit with the day in the framework. But it's pointed out in the previous slide, those of us who are subject to this information. Blocking rules have to do that, anyway. Uh, as i'm concerned

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00:17:51.250 --> 00:17:53.670

Morgan Staines, DHCS (he): about uh

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00:17:54.110 --> 00:17:56.040

Morgan Staines, DHCS (he): one of one about

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00:17:56.540 --> 00:17:57.900

Morgan Staines, DHCS (he): tab

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00:17:58.350 --> 00:18:06.199

Morgan Staines, DHCS (he): being able to know readily where you've changed things from the information blocking rule. I don't think that's an unreasonable Ask, but

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00:18:06.280 --> 00:18:13.299

Morgan Staines, DHCS (he): you know, and and more broadly, and I I and others have raised this before. Um, that we that that

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00:18:14.500 --> 00:18:32.430

Morgan Staines, DHCS (he): we shouldn't be deviating from rules that some of our participants must follow uh without without her, without really good reason. Uh, and Clara. Here we have to address that some of our participants, The people, we hope, will participate on Aren't, subject to any of these rules. So

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00:18:33.110 --> 00:18:43.080

Helen Pfister: so just to give you that one of the changes that we made is that one of the exceptions under the information blocking rule is, with fees exception.

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00:18:43.150 --> 00:18:58.110

Helen Pfister: Um, which that's for the conditions under which an entities in position of fees is not considered information blocking. We had already decided in um one of the previous policy to figure out which one the participants were enabled. We're not going to be charge fees to each other under this data exchange framework.

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00:18:58.120 --> 00:19:07.689

Helen Pfister: So that's an example where there was a deviation where it just didn't seem to make sense, but that that, exception, didn't seem applicable here. Given the position that we've taken about fees not being permissible. In the first place,

158

00:19:13.070 --> 00:19:15.150

Helen Pfister: any other questions, or should I move on?

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00:19:16.050 --> 00:19:19.560

Courtney Hansen: I believe there was one more, John, Was that you?

160

00:19:21.820 --> 00:19:30.499

John Helvey: Yeah, I i'm in agreement. Um, you know, aligning with information, locking at a Federal level. And we need to really, clearly

161

00:19:31.310 --> 00:19:32.620

John Helvey: particularly

162

00:19:32.890 --> 00:19:36.070

John Helvey: what is supplemented to that, but not

163

00:19:37.320 --> 00:19:40.499

John Helvey: duplicate it, and not complicated

164

00:19:40.550 --> 00:19:42.650

John Helvey: or confuse it so.

165

00:19:42.970 --> 00:19:46.850

John Helvey: Ah! So that it's clear. What is it? What isn't a part

166

00:19:47.240 --> 00:19:48.670

John Helvey: of the Federal?

167

00:19:49.780 --> 00:19:54.370

John Helvey: Well in this in this case. Um, because there seems to be

168

00:19:54.460 --> 00:19:55.590

John Helvey: so

169

00:19:56.370 --> 00:20:00.089

John Helvey: duplicate of language that may not be necessary.

170

00:20:02.960 --> 00:20:11.790

Courtney Hansen: Um! And in the interest of time we're going to move on. I encourage uh any other panelists that have comments to put them in the chat.

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00:20:12.040 --> 00:20:17.000

Helen Pfister: Go ahead, Helen. Thank you. Sure. Um. Okay, uh,

172

00:20:17.730 --> 00:20:19.200

Helen Pfister: so

173

00:20:19.710 --> 00:20:21.110

Helen Pfister: um,

174

00:20:21.210 --> 00:20:26.109

Helen Pfister: are we on the next slide? Okay. So I've lost track of of which side we're on. Um. So

175

00:20:26.220 --> 00:20:34.259

Helen Pfister: consistent with the Federal rule um information. Block and practices include the practices set forth on this slide. Um

176

00:20:34.830 --> 00:20:41.810

Helen Pfister: practices, but unreasonably restrict authorized accidents, Exchange or use of HSSI under the DSA Applicable law.

177

00:20:41.860 --> 00:20:50.430

Helen Pfister: Um! Well, I think health it in a non-standard way that is likely to substantially increase the complexity or burden of accessing or exchanging hsi

178

00:20:50.600 --> 00:20:56.810

Helen Pfister: um or implementing health it in a way that is likely to restrict the access to change or use it by just as I,

179

00:20:56.990 --> 00:21:10.130

Helen Pfister: with With with respect to exporting complete information sets or transition between health information, technology systems, or that may lead to fraud, waste or abuse or impede innovations and advancements and Hsi information, access, exchange and use.

180

00:21:10.140 --> 00:21:22.960

Helen Pfister: And again, this tracks the definition of information block the Federal definition of of information blocking but welcome thoughts on on anything that might not be appropriate here, or that you think would be should be, should be modified.

181

00:21:26.270 --> 00:21:29.320

Courtney Hansen: We have one hand from Elaine.

182

00:21:32.230 --> 00:21:33.829

Elaine Ekpo: Hi. Can you hear me?

183

00:21:34.150 --> 00:21:35.040

Helen Pfister: Yep.

184

00:21:35.130 --> 00:21:37.450

Elaine Ekpo: Oh, wonderful! Um.

185

00:21:37.660 --> 00:21:43.859

Elaine Ekpo: I just wondered if we plan on taking the Federal definition and

186

00:21:44.650 --> 00:21:59.859

Elaine Ekpo: expanding on it, maybe not adding to it, but clarifying because this is a very high level definition, and even in um things that I've attended with the Federal Government. They they just say, you know good luck.

187

00:21:59.870 --> 00:22:19.610

Elaine Ekpo: Um, Do we plan on being more specific, getting more specific on what these actually look like when it says, you know anything that might impede or unreasonably impede. That's a that's a very broad, big standard. Is there any plan to narrow that down, or at least even give examples?

188

00:22:19.620 --> 00:22:21.830

Elaine Ekpo: Um down the line,

189

00:22:23.070 --> 00:22:38.600

Helen Pfister: you know we welcome suggestions that's sort of the balance we're trying to walk, which is to to stick with the Federals as much as possible and not not create new uh Newton, create new burdens or new new requirements, but to the extent of their suggestion, concrete suggestions that you think we should incorporate. We are definitely open to them.

190

00:22:39.290 --> 00:22:40.160

Okay,

191

00:22:50.150 --> 00:22:57.059

Courtney Hansen: that is all questions. Uh, Elaine, Did you have any further questions? I see your hands still up.

192

00:22:57.910 --> 00:23:06.219

Elaine Ekpo: Oh, no, whoops, let me! There were. There were just a couple of comments that came from. I think Matt and Steven about um

193

00:23:07.320 --> 00:23:08.600

Jonah Frohlich: uh

194

00:23:10.290 --> 00:23:25.349

Jonah Frohlich: um about the language here, and specifically do we Do we want to recapitulate what's in the Federal rules? The Federal rule changes, and we have to change ours. Is there? Is there any way we can? I think what they quit. The issue is, Can we narrow down what we specifically call out as tax

195

00:23:25.490 --> 00:23:28.000

Jonah Frohlich: instead reference the Federal rule and I know.

196

00:23:28.270 --> 00:23:31.839

Jonah Frohlich: Now we talked a lot about this when you're developing the policy and how much

197

00:23:31.880 --> 00:23:35.579

Jonah Frohlich: we should bring in from information blocking and specifically reference here.

198

00:23:36.060 --> 00:23:51.749

Matthew Eisenberg: Yeah, I I feel strongly that to recapitulate Federal regulation in a State policy is just a a recipe for disaster, I I think, and and adds incredible burden to all of us, and then we have to constantly maintain it or update it, and we'll quickly be out of sync.

199

00:23:51.760 --> 00:24:05.859

Matthew Eisenberg: So I I think we really should reconsider focusing on those elements for the data exchange framework, particularly around social services, information that are that are not covered in the Federal regulation and focus on that and the policy and procedure.

200

00:24:07.280 --> 00:24:15.630

Helen Pfister: So I think the concern we had about that is, the Federal regulations don't apply to all of the organizations that will be signing the Dsa.

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00:24:15.670 --> 00:24:18.400

Helen Pfister: And so. Um!

202

00:24:20.010 --> 00:24:28.609

Helen Pfister: We are struggling with how to make it clear that the Federal regulations and the exceptions more specific because it really isn't so much about the exceptions about the rules themselves.

203

00:24:28.650 --> 00:24:35.740

Helen Pfister: Um. How to make that work in a context that includes actors that go beyond the actors is to find in the Federal and the Federal rules.

204

00:24:36.130 --> 00:24:54.700

Steven Lane: But Helen Haven't. We done that repeatedly, where we simply said, We will point to the Federal rules, and by pointing we point to them in their latest dynamic state. Uh, and then fill in the blanks around that, you know. Again, as Matt says, recapitulating means that we're constantly playing catch up.

205

00:24:56.780 --> 00:25:02.689

Helen Pfister: I mean, yeah, I mean, we can again. This is something we struggled with. Uh, you can point to the Federal rules, and then you've got

206

00:25:02.820 --> 00:25:18.879

Helen Pfister: entities like crosswalking, having to familiarize with them, familiarize them for familiarize them. So if they were those those who are not familiar with them, you've also got the fact that the Federal is applied to a certain set of data. We go beyond that data to be talking about all health and social services information.

207

00:25:18.890 --> 00:25:26.029

Helen Pfister: Um, we can take another look at that. But we really, when we tried to do that, it became incredibly messy and incredibly complicated.

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00:25:30.930 --> 00:25:34.050

Courtney Hansen: Helen looks like we have a comment from the Us.

209

00:25:40.640 --> 00:25:43.980

Matthew Eisenberg: You're on mute Lewis. Sorry about that.

210

00:25:45.210 --> 00:25:55.420

Louis Cretaro: I want to be apologize. I double muted I um. When I looked at the exceptions for the blocking rules and the blocking rules themselves from a social services perspective.

211

00:25:55.510 --> 00:25:57.329

Louis Cretaro: I felt um

212

00:25:57.350 --> 00:26:11.070

Louis Cretaro: erez agmoni like, you know, we shouldn't reinvent the Federal rules. I think that was what we discussed at our last meeting. However, in the exceptions I noted, you know health. It is cited, for example, health it one hundred and fifty

213

00:26:11.080 --> 00:26:19.039

maintenance, you know, and as an exception, so I think we do need to qualify some of social services.

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00:26:19.070 --> 00:26:20.100

Louis Cretaro: Um

215

00:26:20.250 --> 00:26:37.939

Louis Cretaro: references to you know where health. It is explicitly called out, and we needed to mean health and social services it. But I think the major difference between the multiple social services programs is going to be in the data set. I would,

216

00:26:37.950 --> 00:26:51.450

Louis Cretaro: you know, advocate for the standard transmission of the data, standard policies and procedures, and then the nuances of what each social services program has That will be valuable to health

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00:26:51.500 --> 00:26:55.440

Louis Cretaro: now is where I think we're going to,

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00:26:55.580 --> 00:27:00.940

Louis Cretaro: you know. Have to put some some energy into. So i'm

219

00:27:01.130 --> 00:27:09.319

Louis Cretaro: not, sir. I'm. The most qualified person to say this, but I would like to stay as close to the Federal guidelines as

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00:27:09.360 --> 00:27:29.290

Louis Cretaro: without reinventing the wheel as possible, recognizing, of course, that you know we're not necessarily held to that, and I think that's that's the challenge for this group. But I I personally felt like those exceptions applied. We just need to crosswalk between help it

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00:27:29.360 --> 00:27:32.990

Louis Cretaro: and social services it, I mean, that's just my opinion.

222

00:27:34.120 --> 00:27:48.559

Helen Pfister: So maybe one thing we can do. Um in terms of this definition of of information documents on this slide, as I think about it, more based on this discussion. Maybe we don't even need this to be in our policy. Maybe what we should be focusing on is the

223

00:27:48.610 --> 00:27:57.279

Helen Pfister: practices that so the Dsa requires with signatories to shot, to to share information, pursuant to the policies and procedures.

224

00:27:57.380 --> 00:28:14.509

Helen Pfister: And so, maybe what we should be focusing on is not putting a definition in information blocking image P&Ps, because maybe it's not necessary, but really focusing on practices that wouldn't be a violation of the P&Ps. If a signatory participant decided not to share information under certain circumstances like

225

00:28:14.520 --> 00:28:21.969

Helen Pfister: preventing harm security, privacy. All the exceptionals like maybe we should focus on the exceptions, and not so much in the definition, and maybe even take the definition out of the policy

226

00:28:22.020 --> 00:28:23.220
Helen Pfister: all together.

227

00:28:26.200 --> 00:28:27.410
Helen Pfister: Thoughts on that.

228

00:28:30.860 --> 00:28:33.929
Courtney Hansen: It looks like we have a comment from Mark first,

229

00:28:35.660 --> 00:28:41.740
Mark Savage: you know. I'll just say that didn't work so well at the Federal level is the reason why that's put in the Cures Act

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00:28:41.870 --> 00:28:42.900
Helen Pfister: bye,

231

00:28:42.950 --> 00:28:48.270
Helen Pfister: absolutely. But the difference is that Now, here in California we are imposing these requirements on

232

00:28:48.420 --> 00:28:50.440
the way

233

00:28:50.920 --> 00:28:59.249
Helen Pfister: the twentieth century cures that acted at the Federal level. So I think again, this is we have. We have sort of an equivalent to information blocking prohibition,

234

00:28:59.790 --> 00:29:05.349
Helen Pfister: that sort of, and it's the exception, perhaps, that are more important than the than the provisions themselves.

235

00:29:09.280 --> 00:29:10.200
Courtney Hansen: Leo:

236

00:29:11.300 --> 00:29:27.900

Leo Pak: Yeah, Thank you. Um. I just give you a quick, practical example. Um, We try to leverage the information blocking at the Federal level many years ago to try to persuade emr vendors to act in a better way, more appropriate way.

237

00:29:28.210 --> 00:29:32.169

Leo Pak: Um, we've had multiple calls. It didn't result in anything

238

00:29:32.430 --> 00:29:46.019

Leo Pak: uh information blocking. If you depending on the way you define it, Is the State going to have a call center or some way for someone to report. Is there going to be a resolution process,

239

00:29:46.040 --> 00:29:51.819

Leo Pak: And if the current information block and gap didn't solve some of the behavior issues,

240

00:29:51.890 --> 00:29:53.569

Leo Pak: is this going to

241

00:29:53.770 --> 00:30:03.450

Leo Pak: potentially solve that? Or is this simply going to rely on the Federal Government for its policies, procedures, and maybe even lack of dispute resolution?

242

00:30:04.510 --> 00:30:18.169

Helen Pfister: So the short answer is that there is. We'll get to this in the monitoring and auditing policy, but there will be a complaints process that the governance and entity will establish to allow participants to, or and others to raise objections, and folks are not complying with their obligations. Under the Dsa.

243

00:30:23.170 --> 00:30:26.679

Courtney Hansen: We have one more hand that I can see from a lane.

244

00:30:29.120 --> 00:30:32.510

Elaine Ekpo: Um. So in response to

245

00:30:32.700 --> 00:30:37.040

Elaine Ekpo: the point about removing this information blocking definition,

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00:30:37.060 --> 00:30:44.880

Elaine Ekpo: I kind of have a two part response. One is a question. If we remove this, will there be a reference that

247

00:30:45.490 --> 00:31:00.580

Elaine Ekpo: even if it's just a short reference. I know we already see that we don't want to just cross-reference, the Federal law. But if we remove it, I think that would be a good idea to at least cross reference. What um is information blocking and all of the

248

00:31:00.840 --> 00:31:08.320

Elaine Ekpo: rules and regulations around that. And then, if we do want to just stick with what not to do, then we have

249

00:31:13.260 --> 00:31:36.110

Elaine Ekpo: focusing on whatnot to do Examples of what would be considered information blocking is that then you know what not to do, but entities won't, know what. And so it's. We define what we shouldn't do, but we don't know what to do, and then you can just see it sound like it should be very streamlined, but I think people would be all for place, and you wouldn't get a very clear definition. And so

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00:31:36.120 --> 00:31:42.280

Elaine Ekpo: if we do just want to focus on the the very set examples. And we do a cross-reference as well.

251

00:31:49.480 --> 00:31:50.700

Courtney Hansen: Thanks, Lane.

252

00:31:51.190 --> 00:31:58.210

Courtney Hansen: All right, Let's go ahead and uh one more comment from devin, and then let's move on.

253

00:31:59.180 --> 00:32:12.989

Deven McGraw: Yeah, I just wanted to say that there we had a little bit of a discussion going on in the chat around um. If if, instead, we sort of flip the script a little bit, and focus, as Helen suggests on just

254

00:32:13.020 --> 00:32:24.889

Deven McGraw: defining what it, what is permissible to do that otherwise might create some obstacles to information sharing. Do we just refer to the Federal safe harbors, or do we Um,

255

00:32:25.400 --> 00:32:26.640

Deven McGraw: uh

256

00:32:26.860 --> 00:32:28.529

Deven McGraw: do the um,

257

00:32:28.600 --> 00:32:41.559

Deven McGraw: or do we create our own? And I think I think, referring to the Federal ones, seems to have gotten the majority of the comments in there, although not everybody is weighed in um. But we might. There might be some areas where we want to. Um

258

00:32:41.570 --> 00:32:59.239

Deven McGraw: where we might need to add more. Um it whether it's because of the social services data. But maybe we can focus a bit more on those like, What are the what are the exceptions to information blocking that exists at the Federal level, and how much can we just rely on the um What the feds are putting out in terms of guidance?

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00:32:59.250 --> 00:33:03.610

Deven McGraw: And how much do we need to to um customize for California.

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00:33:05.940 --> 00:33:12.870

Helen Pfister: So that is Segue, I think. Um to the next slide, which begins discussing the first of the

261

00:33:17.760 --> 00:33:29.419

Helen Pfister: so next slide, please. Um, Actually, this this sort of Oh, this is an overview of the five different categories of exceptions that we incorporate into this P. And P. That come from the Federal from the Federal rules. Um preventing harm,

262

00:33:29.430 --> 00:33:40.289

Helen Pfister: privacy, security, and feasibility and health IT performance, and in the next slide to go over in detail. Um, what language we're thinking of the language that we took from for each of those exceptions.

263

00:33:40.530 --> 00:33:42.770

Helen Pfister: So next slide, please.

264

00:33:43.100 --> 00:33:50.440

Helen Pfister: So the preventing harm exception, and those of you who are familiar with the current rules are obviously familiar with this. Um. But that

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00:33:50.570 --> 00:33:55.779

Helen Pfister: exception provides that a participants practice that is um

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00:33:56.150 --> 00:34:02.150

Helen Pfister: likely to actually does interfere with the required exchange of are called hsi for short

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00:34:02.180 --> 00:34:10.510

Helen Pfister: um. If it's done in order to prevent harm, it won't be considered information blocking, or If we're changing the parameters here, it will be considered a violation of the DSA.

268

00:34:10.530 --> 00:34:25.489

Helen Pfister: If it needs certain specified conditions. Um! And to the conditions are on the slide. One is that the person has to. The participant has to have a reasonable belief that what they're doing Um! Will it? Now to reduce the risk of harm

269

00:34:25.500 --> 00:34:31.080

Helen Pfister: to the individual who is specific of the Hs. That so? The patient, or or clients, or customer

270

00:34:31.489 --> 00:34:46.579

Helen Pfister: um. And second, is that the practice, the steps to person to take the participant is taking. To limit access to information has to be no part of the necessary to reduce the risk of harm that's being. That's the cause of concern,

271

00:34:48.560 --> 00:34:50.379

Helen Pfister: questions or comments on that.

272

00:34:58.960 --> 00:35:12.809

Helen Pfister: Okay next slide, and then continuing the requirements for the preventing harm exception. And this is where it gets a little bit more complicated, and it does track the the Federal rules, and I welcome suggestions that I make this more streamlined

273

00:35:12.910 --> 00:35:23.129

Helen Pfister: um. So, in addition to meeting the requirements I mentioned before, which is about a reasonable leave, and no part of it necessary, the practice has to either. Um be

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00:35:23.300 --> 00:35:31.830

Helen Pfister: the risk of harm has to be determined on an individualized basis by a license health care, professional. It's got a relationship with the individual in question.

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00:35:32.080 --> 00:35:37.860

Helen Pfister: Um! And the type of harm has to be one of the What are the one? Step forth in these paragraphs? One, two, and three

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00:35:38.010 --> 00:35:56.989

Helen Pfister: um. So welcome thoughts on whether that makes sense in this context. Um, how that would work in the case of a social service organization that might not have license, health care professionals in a position to this uh other alternatives. Um! Just sort of general thoughts on on this, as one of the requirements to satisfy the risk of harm

277

00:35:57.560 --> 00:35:58.779

Helen Pfister: exception.

278

00:36:09.260 --> 00:36:16.599

Deven McGraw: I can see another number of people with hands up in your queue, Helen, but I know you can't see.

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00:36:17.520 --> 00:36:18.490

Courtney Hansen: Uh,

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00:36:19.540 --> 00:36:22.789

Courtney Hansen: so i'm gonna go ahead and start calling on the folks uh Elaine.

281

00:36:26.190 --> 00:36:43.129

Elaine Ekpo: Um! Sorry This might go back to the previous slide, and also this one, but I noticed that the harm is has been narrowed from harm to the individual, and the part from the Federal definition that talks about harm to others

282

00:36:43.140 --> 00:36:49.730

Elaine Ekpo: has been removed. Was that intentional? Or is that going to be another Scott? Because that's a very

283

00:36:49.800 --> 00:36:51.060

Elaine Ekpo: um

284

00:36:51.100 --> 00:37:04.210

Elaine Ekpo: I wouldn't say common, but it's It's it's certainly an exception, that as the Privacy Hospital we have used for our patients and individuals, and so i'm concerned that if we remove that um, then something that

285

00:37:05.080 --> 00:37:14.380

Helen Pfister: it is is a there's a common practice. It's not there. We have not removed that. Um! It says that to the risk of harm to the individual or to another natural person.

286

00:37:14.460 --> 00:37:16.220

Elaine Ekpo: Oh, okay, I just

287

00:37:16.260 --> 00:37:22.570

Helen Pfister: okay. I mean, if you know, when I was reading it. But yeah, no, it does. It's another natural person. So okay, thank you.

288

00:37:22.910 --> 00:37:24.850

Courtney Hansen: Thanks, Elaine. Diana:

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00:37:28.580 --> 00:37:30.600

Diana Kaempfer-Tong: Yeah, um, I

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00:37:30.850 --> 00:37:34.060

Diana Kaempfer-Tong: Helen, you did mention this. But um

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00:37:34.390 --> 00:37:42.169

Diana Kaempfer-Tong: public health. We don't have license, health care professionals in every program, especially that have current require relationships

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00:37:42.370 --> 00:37:48.320

Diana Kaempfer-Tong: with the people. Um, I don't off hand. Know how we could

293

00:37:48.920 --> 00:38:02.170

Diana Kaempfer-Tong: change this, you know I can go back, and we can work on some language. But that's just not something we can meet for every single program that might have um. This type of data. Um, and then um

294

00:38:03.580 --> 00:38:21.480

Diana Kaempfer-Tong: in addition uh, this is already. Some of this is already uh codified in um the ipa, and I know it doesn't apply to everybody. But as far as our data and stuff it, it applies to us. And so I just want to put that out there that that's also a thing we have to consider and work with. So

295

00:38:22.550 --> 00:38:31.000

Helen Pfister: yeah, And I think that's gonna be a challenge for you and for others as well, which is why I raised that as a as a concern like, Who is it that should be responsible for determining whether there is actually a

296

00:38:32.240 --> 00:38:37.859

Helen Pfister: risk requirement to that that justifies the limiting limiting of limiting, sharing data.

297

00:38:40.360 --> 00:38:42.729

Courtney Hansen: Thanks, Diana Devin.

298

00:38:43.900 --> 00:38:52.610

Deven McGraw: Yeah, there's a good point raised in the chat by Matthew around. What a significant harm look like in the context of social services data.

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00:38:52.710 --> 00:39:10.789

Deven McGraw: And you know part of the reason why, under the Federal rule rules, it's quite a bit convoluted to read through the risk of harm policies, because Hipaa makes very clear that when you're talking about releasing data to a patient um per his or her request.

300

00:39:10.810 --> 00:39:27.309

Deven McGraw: Um! The You can only withhold that information if the risk of harm is going to rise to a risk of physical harm and not psychological harm. But since so many a number of social services, providers would not be sort of necessarily subject to that definition. Under Hipaa,

301

00:39:27.430 --> 00:39:44.730

Deven McGraw: there might be some room to build in in terms of significant risk of harm. Um, some more um uh like uh mental health considerations that the Federal law allows you to take into consideration when you're talking about harm to other people,

302

00:39:44.740 --> 00:39:55.629

Deven McGraw: but not to the harm to the individual themselves. And so we we may need to sort of parse through that a little bit more carefully to kind of navigate where you know the hipaa overlay would not

303

00:39:55.640 --> 00:40:11.700

Deven McGraw: allow a an entity also covered by Hipaa to claim significant risk of harm if they're providing it to an individual and the risk of harm. Um is not a risk of physical harm, but a risk of psychological harm to the data subject versus to another person. It's

304

00:40:11.710 --> 00:40:31.469

Deven McGraw: the the hipaa overlay is part of what makes this very complicated in terms of coming up with a single standard. That's a little bit more simple, and the fact that we are going to have a mix of entities covered and uncovered by hipaa um might further complicated for us and cause us to have to parse it a little bit more in these Pmps versus relying on Federal rules

305

00:40:31.830 --> 00:40:43.419

Steven Lane: and devin. I'm gonna break in here. This is Steven, and just point folks to the Faq. That I put into the chat, which was very enlightening for me personally as I struggled to understand this.

306

00:40:43.790 --> 00:40:48.359

Deven McGraw: Yeah, that's the Federal law that had to take Hipaa into consideration.

307

00:40:52.470 --> 00:40:59.159

Courtney Hansen: Thanks, Devin and Steven. Uh, I saw we had a hand up and put it down. Did you still have a comment?

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00:40:59.180 --> 00:41:11.179

Lee Tien (he/him) EFF: No, devin, and and uh everybody else hit the harm question that I was at wanted to ask about, because mental health and emotional distress should be dealt with in in this framework.

309

00:41:11.520 --> 00:41:12.600

Thanks, Lee,

310

00:41:12.830 --> 00:41:29.709

Morgan Staines, DHCS (he): alright and one more comment from Morgan, and then we can move on to the next slide

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00:41:30.780 --> 00:41:34.899

Morgan Staines, DHCS (he): that maybe this is a place where maybe it makes sense to say

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00:41:35.090 --> 00:41:40.649

Morgan Staines, DHCS (he): for a participant that is not subject to the Federal information. Blocking rule.

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00:41:40.760 --> 00:41:47.059

Morgan Staines, DHCS (he): These are the kind of people who should this who should decide if they're subject to the to the blocking, royal way of that

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00:41:47.730 --> 00:41:49.889

Morgan Staines, DHCS (he): that tells us who has to decide.

315

00:41:50.500 --> 00:41:51.430

Yeah,

316

00:41:51.670 --> 00:41:54.189

Morgan Staines, DHCS (he): which, so that we avoid misleading

317

00:41:54.490 --> 00:42:06.170

Morgan Staines, DHCS (he): uh innocent participants who are already subject to the Federal rule. Um! But but if they think they're following this procedure, they might get themselves in trouble with the

318

00:42:08.040 --> 00:42:27.660

Helen Pfister: so one way we could do it is to keep it a license health care, professional for folks who are subject to the information to the Federal rules, and then put something like another qualified individual which I know is vague. Um. But yeah, along those lines to for for for folks who are not subject to the Federal rules that's good. Yeah, that's kind of what I was thinking. Something like that

319

00:42:28.050 --> 00:42:29.429

Morgan Staines, DHCS (he): that might be helpful.

320

00:42:33.100 --> 00:42:34.500

Courtney Hansen: Thanks, Morgan.

321

00:42:34.650 --> 00:42:36.509

Courtney Hansen: All right. Go ahead, Helen.

322

00:42:36.560 --> 00:42:37.629

Helen Pfister: Okay,

323

00:42:37.650 --> 00:42:40.759

Helen Pfister: um. So then um.

324

00:42:40.880 --> 00:42:47.219

Helen Pfister: The other type of uh um condition that a practice can satisfy in order to be

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00:42:47.330 --> 00:42:56.740

Helen Pfister: permissible under this would be the preventing harm exception is indeed on the slide, which is um the risk of harm that arises from a

326

00:42:56.910 --> 00:43:11.320

Helen Pfister: data misidentification, or mismatch, or corrupt data, or Roni's down, we'll be something wrong with the data. Basically and again, that a licensed health care professional has determined that providing access to that would endanger the life of the person whose data it is, or another

327

00:43:11.350 --> 00:43:29.250

Helen Pfister: another person. So it's just the different sort of similar but somewhat different scenario, so obviously the same point on licensed health care professionals versus another provider another person for someone who's not a social services provider. Um Any other comments on this? And what does and doesn't work in the context of the that exchange framework.

328

00:43:31.960 --> 00:43:33.969

Courtney Hansen: Elaine, did you have another comment?

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00:43:36.740 --> 00:43:40.679

Elaine Ekpo: I do not. But I keep looking for my hand Apologies.

330

00:43:42.190 --> 00:43:43.120

Courtney Hansen: Thank you,

331

00:43:46.010 --> 00:43:48.110

Courtney Hansen: Helen. I don't have any hands for you.

332

00:43:48.350 --> 00:43:51.040

Helen Pfister: Okay, Next slide, please.

333

00:43:51.780 --> 00:43:58.949

Helen Pfister: Um. So still continuing with the preventing harm exception, this is one of the more complicated ones. So it does get a little bit easier later on.

334

00:43:59.020 --> 00:44:17.440

Helen Pfister: Um. So if access is is denied to information based on an individual's individualized determination by a licensed health care, professional or some other person in the case of a social services organization. Um, then, under the Federal regulations which incorporate Hipaa,

335

00:44:17.450 --> 00:44:22.819

Helen Pfister: the um individual has the right to have a have a Nile have the denial reviewed?

336

00:44:23.160 --> 00:44:25.340

Helen Pfister: Uh: so question here:

337

00:44:25.630 --> 00:44:37.219

Helen Pfister: does this make sense here? Is that too much of a burden? Um! I just would love thoughts on whether this particular provision from the Federal rules makes sense in the California context.

338

00:44:43.230 --> 00:44:44.290

Courtney Hansen: Devin,

339

00:44:44.660 --> 00:44:57.889

Deven McGraw: this is a tough one, Helen, Can you give us some easy ones. Um, I You know it. It does occur to me that that this may be another place where saying, you know, if you're covered by hipaa, and you're talking about

340

00:44:58.050 --> 00:45:02.669

Deven McGraw: um access where it's the individual seeking access for herself

341

00:45:02.870 --> 00:45:16.390

Deven McGraw: or you have a personal representative situation. That's where there's the right to request a review. Um that is governed by Hipaa, and then it's covered by hipaa. Need to make sure that they're compliant with that. Um.

342

00:45:16.660 --> 00:45:17.600

Deven McGraw: But

343

00:45:17.780 --> 00:45:31.730

Deven McGraw: for other types of of access where there's a determination around um risk of harm. I'm not sure that that triggers a right to request review under Federal law, people can correct me if i'm wrong about that, and that

344

00:45:31.810 --> 00:45:34.880

Deven McGraw: it feels like it could get really complicated.

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00:45:34.940 --> 00:45:39.430

Deven McGraw: Um, Obviously, we don't want people to to um

346

00:45:39.710 --> 00:45:42.429

Deven McGraw: to abuse this provision.

347

00:45:42.540 --> 00:45:44.800

Deven McGraw: On the other hand, Um,

348

00:45:44.970 --> 00:45:53.370

Deven McGraw: when it's necessary to be able to leverage just to have a reason for withholding information as part of this data, sharing framework

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00:45:53.390 --> 00:46:01.330

Deven McGraw: absent the individuals right to access it under under Hipaa and the data sharing framework. I just wonder if it gets really complicated.

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00:46:02.340 --> 00:46:05.160

Deven McGraw: So I so i'm. What I'm suggesting is,

351

00:46:05.510 --> 00:46:21.209

Deven McGraw: make sure the hipaa covered entities understand what their obligations are under that law, as disting from what might be in the Ps. And P's. And maybe distinguish between circumstances where individuals are trying to get their information versus other circumstances where um it's. Another requester

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00:46:21.680 --> 00:46:29.590

Deven McGraw: and not a personal representative, meaning a parent or somebody with a legal right to act like a stand in the shoes of the individual

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00:46:29.620 --> 00:46:35.759

Deven McGraw: where it's another participant and not the individual correct? Thank you. Better, stated Helen. Thank you.

354

00:46:39.280 --> 00:46:41.669

Courtney Hansen: Thanks, Devin. Uh Elaine.

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00:46:43.730 --> 00:46:45.619

Elaine Ekpo: Yes, um! So

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00:46:45.990 --> 00:46:51.199

Elaine Ekpo: i'm trying to think of logistically how this would work out. Would it be? Would there be a

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00:46:51.230 --> 00:47:05.980

Elaine Ekpo: specific designated entity that they would go to to say, I want to access the information that I want to access my information that was shared in this better um framework, data, change framework, or would they just go to each individual

358

00:47:06.360 --> 00:47:14.239

Elaine Ekpo: um participant? Um! And how would that work. How would So if they let's say they came to Ds and said, I want

359

00:47:14.280 --> 00:47:31.170

Elaine Ekpo: the information that was exchanged. Would they just get the information that we exchange, or would we then ping something within the framework to say, We have this access request? I'm just trying to figure out logistically how that would work, and would we be putting participants in the position of

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00:47:33.290 --> 00:47:44.229

Elaine Ekpo: responding to access requests which have very strict timelines? If you are a covered entity? Um, responding to access requests without necessarily

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00:47:44.420 --> 00:47:57.420

Elaine Ekpo: it's it's not a direct access request it's it's not coming. If it didn't the say it, you came to us, and we have information that maybe we received from the Vp. H. Or we received from um setter, and we don't.

362

00:47:57.430 --> 00:48:08.900

Elaine Ekpo: Do we not let them know? Do we? Just I'm. I'm trying to figure out how this exactly would work, and if they would have a place to come to, I get that spot to to submit a request, or

363

00:48:09.130 --> 00:48:22.140

Lee Tien (he/him) EFF: I I just I don't. I don't. I think I just can't write my brain around this

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00:48:22.150 --> 00:48:38.960

Lee Tien (he/him) EFF: provision, saying that the individual doesn't want their data to go, and I had the same question of: Are they our patients or individuals being notified? How do they like, know when to say No, don't don't send that. How granular does that get, or how like

365

00:48:38.970 --> 00:48:44.509

Lee Tien (he/him) EFF: blanket in advance does that get? I? I was just didn't quite understand how that was going to work

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00:48:47.460 --> 00:49:03.540

Helen Pfister: well. I mean, I think it applies, and we have a separate individual access policy which was reviewed and developed as part of the first set of policies which was about um in June or July, whenever that was um, and so that sort of specifies. But an individual has the right to

367

00:49:03.550 --> 00:49:16.600

Helen Pfister: access their data, um or questions just to their data, et cetera. So that's where that comes from. Um, I don't think this will be any sort of centralized source. I mean this isn't an hio right. This is This is a data exchange

368

00:49:16.610 --> 00:49:26.949

Helen Pfister: contractual framework. So there's no centralized source that a customer could go to to get a copy of any data that I make. But that might be changing with this framework, which is not how this is set up,

369

00:49:28.590 --> 00:49:36.439

Jonah Frohlich: and I I think the individual access policy, if if i'm not mistaken, said that if an individual approaches an organization that is,

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00:49:36.490 --> 00:49:40.560

Jonah Frohlich: um like, provide services to them then, and request

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00:49:40.870 --> 00:49:43.799

Jonah Frohlich: their data. Then that organization is,

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00:49:43.860 --> 00:49:57.310

Jonah Frohlich: if they're a signatory, they're required to provide any data they maintain they're not required to go out in query, and it's, and try to obtain other information. It's just what they maintain. So that's that's for any signatory.

373

00:49:57.590 --> 00:50:06.869

Jonah Frohlich: So if A. Q hio qualified H. I I assume they're signing at the sharing agreement, and you go to them and say, Can I please have any data you maintain they have to provide it.

374

00:50:06.900 --> 00:50:17.519

Jonah Frohlich: Same goes with any hospital. If they went to a hospital, that and a patient went and asked for their data. The hospital have to provide whatever data they maintain on um for that patient

375

00:50:29.140 --> 00:50:30.720

Courtney Hansen: notice.

376

00:50:32.130 --> 00:50:44.169

Louis Cretaro: Yeah. And I think this illustrates some of the complexities of social services, and I can't help but get to like a a business case example where a parent perpetrator,

377

00:50:44.180 --> 00:51:02.139

Louis Cretaro: maybe in the process of losing parental rights, and we exchange data on a child, and they went into a health facility to a a person who could prove by, you know, by birth certificates and their own and their childs that they're the parent and ask for that data

378

00:51:02.150 --> 00:51:15.769

Louis Cretaro: when, in fact, you know that could be a harm to the child, the spouse or um other individuals. And so we, when we get into the exact exception, blocking on the social services,

379

00:51:15.810 --> 00:51:25.969

Louis Cretaro: I mean, I can see these as reasons why they the certain systems like child welfare, may not, it may be too difficult to even enter into the exchange agreement.

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00:51:26.130 --> 00:51:42.750

Louis Cretaro: Um, for fear of of of that kind of compromise. And and then we, you know, we get back to the informed consent conversation that would have to be in those systems to make sure that before the data was sent over for social services it was an informed consent.

381

00:51:42.880 --> 00:51:49.389

Louis Cretaro: So I i'm struggling. I mean those the risk and harm to others. They're not.

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00:51:49.480 --> 00:51:50.549

Louis Cretaro: Um.

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00:51:51.020 --> 00:52:06.920

Louis Cretaro: They are not licensed health care providers, social workers, and others on the systems that are evaluating whether it's adult protective service or child protective services, and then somebody's right to access by going to the health care provider.

384

00:52:06.980 --> 00:52:09.049

Louis Cretaro: So I don't.

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00:52:09.140 --> 00:52:23.519

Louis Cretaro: I think we're going to have challenges with the data for some individuals, and and and sending that over um period. And then I don't know how we strike the balance to the benefits of,

386

00:52:43.160 --> 00:52:48.209

Louis Cretaro: and their legitimate exceptions, and the fact that they're not

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00:52:48.380 --> 00:52:50.380

Louis Cretaro: licensed medical

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00:52:50.510 --> 00:52:52.399

Louis Cretaro: providers in all cases

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00:52:52.460 --> 00:52:53.830

Louis Cretaro: making these decisions.

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00:52:56.330 --> 00:53:07.919

Helen Pfister: Yeah. So just I mean as i'm thinking about this, and it's a really helpful comments. Um! What we did in the privacy policy that we adopted back in June is that we basically said that

391

00:53:08.250 --> 00:53:22.200

Helen Pfister: uh organizations that were covered that were hipaa-covered entities or business associates, had to comply with their obligations under hipaa as covered in the business associates, and then for organizations that didn't fall into those categories and kind of specified what they had to do. So maybe an approach like that.

392

00:53:22.280 --> 00:53:28.179

Helen Pfister: It's something we should consider Here, too. We're like. If you are an actor covered by the Federal information blocking rules.

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00:53:28.200 --> 00:53:33.429

Helen Pfister: Then you've got to comply with those rules. And if this policy should really focus on

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00:53:33.490 --> 00:53:37.750

Helen Pfister: the circumstances under which someone is not covered by those rules can

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00:53:38.070 --> 00:53:51.400

Helen Pfister: refuse not right word, maybe refuses to right where it can not exchange data that otherwise they be required to exchange, based on certain circumstances like preventing harm, like privacy, like security, like feasibility, or like um

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00:53:51.800 --> 00:53:53.979

Helen Pfister: um um

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00:53:55.280 --> 00:53:57.699

Helen Pfister: whatever the fifth one is, I just do that for a second.

398

00:54:01.190 --> 00:54:02.450

Helen Pfister: Help My team performance

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00:54:06.480 --> 00:54:08.710

Helen Pfister: thoughts on that just like conceptually.

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00:54:11.390 --> 00:54:15.180

Helen Pfister: Here's some positive comments in the chat. So maybe that's about to take away here.

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00:54:16.690 --> 00:54:27.629

Helen Pfister: So with that in mind, then I think that some of the more complicated elements of the preventing harm exceptions, including the individual determination, maybe we pull them out of the

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00:54:28.070 --> 00:54:35.370

Helen Pfister: this P. And P. Since it applies to to both, not cover by the Federal rules, and cover the simplified and more paired down version. That kind of like hopefully

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00:54:35.460 --> 00:54:37.429

Helen Pfister: does give

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00:54:38.360 --> 00:54:53.069

Helen Pfister: those participants some amount of certainty, as what they can do without getting into trouble for lack of better way to phrase it. Um, but in a way that's less complicated than the the Federal rules which, look they are what they are. We can't change those, but we can make it simpler for folks who aren't

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00:54:53.120 --> 00:54:54.620

Helen Pfister: covered by the Federal rules.

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00:55:00.960 --> 00:55:04.629

Courtney Hansen: Thanks, Helen. Uh, Lee, Did you still have additional comments?

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00:55:13.490 --> 00:55:17.249

Lee Tien (he/him) EFF: Sorry I should have lowered my hand. I'm sorry

408

00:55:17.610 --> 00:55:21.870

Courtney Hansen: all right, and we'll take a comment from Elaine and then move on in the interest of time.

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00:55:22.870 --> 00:55:32.229

Elaine Ekpo: Um, based on the business case. Um example that we just had. I have a question about the

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00:55:32.570 --> 00:55:34.619

Elaine Ekpo: the complexities between

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00:55:34.700 --> 00:55:51.950

Elaine Ekpo: distinguishing um covered entities. Those are entities that are part of it with the better rules and those that are not like some social service and community. How would that work for the information collected from those that are covered under the Federal rules from those that aren't.

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00:55:51.960 --> 00:56:05.929

Elaine Ekpo: So let's say we have that example where the patient, the patient's, parents, and child parents, wants to go access information. They can't access them from the entities that are not covered under Federal roles. But then they just go to. They go to whoever it was he is

413

00:56:05.940 --> 00:56:24.410

Elaine Ekpo: from, and we have the obligation that if we maintain and we have it, we have to disclose it. So what do we do in those situations. Can there be a flag on the records, or a flag on something, or some sort of notification, that the information exchanged on this case has a special circumstance that actually extends it from

414

00:56:24.420 --> 00:56:39.449

Elaine Ekpo: information blocking, and that's that's kind of the issue that i'm, seeing where we don't want people forum shopping, We don't want people being able to forum shop, because and you can just go to You can just do an end. Run around um one entity and go to another.

415

00:56:43.620 --> 00:56:47.290

Helen Pfister: Anyone else have thoughts or responses to that comment from Elaine.

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00:56:55.300 --> 00:56:58.769

Helen Pfister: Okay, I see your point going. I'm not sure what the answer is, but I I see what you're getting.

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00:57:00.320 --> 00:57:03.789

Courtney Hansen: It looks like we have a couple responses for this.

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00:57:05.250 --> 00:57:17.209

Louis Cretaro: Well, you know, I think the key is for us not to send that data to begin with. But you may have um for some social services applications,

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00:57:17.380 --> 00:57:22.630

Louis Cretaro: you know. That could be the majority of the of the clients

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00:57:23.370 --> 00:57:25.110

Louis Cretaro: of that um

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00:57:25.280 --> 00:57:33.859

Louis Cretaro: fall into that status. But in thinking of the business case I gave where the process is midstream and may not be

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00:57:34.290 --> 00:57:46.710

Louis Cretaro: the same. Ah, example, for someone who has a maybe a cheap permanency, a child in permanency, and therefore the benefits of this exchange would be,

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00:57:46.810 --> 00:57:48.439

you know, uh,

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00:57:48.960 --> 00:57:54.099

Louis Cretaro: reached. So I envisioned it when I thought about it as

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00:57:54.430 --> 00:58:01.049

Louis Cretaro: change that would have to be made on the social services system. Not to send the data. However.

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00:58:01.300 --> 00:58:02.240

Um

427

00:58:02.260 --> 00:58:05.009

Louis Cretaro: you would be, may already have data.

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00:58:05.470 --> 00:58:11.910

Louis Cretaro: The child from, you know, prior to the event or circumstances.

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00:58:11.940 --> 00:58:16.120

Louis Cretaro: So I think we live in that world already a little bit.

430

00:58:16.250 --> 00:58:17.660

Louis Cretaro: So. Um,

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00:58:18.080 --> 00:58:34.760

Louis Cretaro: I was looking at the changes social services systems would have to make in order to comply to not send that data um, or exchange that data, either through, you know, informed consent, changes and

432

00:58:34.770 --> 00:58:44.230

Louis Cretaro: um some designation on the system to not send it, and therefore it would be covered under the exception, or, you know,

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00:58:44.310 --> 00:58:46.500

Louis Cretaro: to prevent harm.

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00:58:51.060 --> 00:58:59.719

Louis Cretaro: But I think we're all you know kind of getting the broader picture of the consequence of some of this. And and I think that

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00:59:01.190 --> 00:59:02.649

Louis Cretaro: again it gets

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00:59:02.990 --> 00:59:09.100

Louis Cretaro: it gets down to, you know, data in the type of data, the type of social services systems

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00:59:09.220 --> 00:59:10.520

Louis Cretaro: and

438

00:59:10.820 --> 00:59:13.800

Louis Cretaro: the benefits versus the detriment in

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00:59:14.060 --> 00:59:17.450

Louis Cretaro: you know how we address them by exception. I'm not.

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00:59:18.180 --> 00:59:22.740

Louis Cretaro: I mean I can't say any more than that. Oh, you and I have now your concern that

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00:59:22.790 --> 00:59:25.470

Louis Cretaro: that's exactly where I was going with.

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00:59:27.270 --> 00:59:33.510

Helen Pfister: So let's move on. I mean welcome additional comments in the chat. I'm just worried about about time. Um.

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00:59:33.580 --> 00:59:49.769

Helen Pfister: So the next slide is the last element of the current and harm exception which which talks about the requirements for an organizational policy. Um. I think that sort of like much of the rest of this I mean, this is going to apply to any actor that's covered by the information block the Federal rules. Um regardless. And so we

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00:59:50.010 --> 01:00:05.090

Helen Pfister: we need to think about what this even makes sense in the context of other actors. Um! So welcome thoughts on on this. I mean, if we're trying to simplify this and like limit the burden. Um: Smaller organization, social service organizations that perhaps this is this is something that we could

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01:00:05.180 --> 01:00:09.059

Helen Pfister: do away with in the context of it, the accept specific exceptions to

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01:00:09.750 --> 01:00:11.729

Helen Pfister: blocking of information, sharing

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01:00:20.840 --> 01:00:23.910

Helen Pfister: any thoughts on that. And I would also add that on

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01:00:24.040 --> 01:00:25.460

Helen Pfister: um

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01:00:26.000 --> 01:00:28.459

Helen Pfister: I would like at the end of it We may.

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01:00:28.530 --> 01:00:46.360

Helen Pfister: I'm sure that you all, I think there's a lot of food for thought. Um, and we welcome any suggestions you may have. You can email us right to us, reach out to us afterwards, especially with like not just concerns which are always welcome, but also like potential solutions. Um, I think the more input, we get on like how we can actually address some of these concerns the more

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01:00:46.420 --> 01:00:57.919

Helen Pfister: workable. The next draft of the policy is actually going to It's going to end up being so welcome, definitely welcome any constructive feedback and suggestions how to make changes that will address many of the concerns that have been raised.

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01:01:00.380 --> 01:01:03.629

Deven McGraw: Yeah, I I think, for looking at at these

453

01:01:03.740 --> 01:01:07.810

Deven McGraw: particular aspects of the Federal rules. Helen. I think,

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01:01:08.240 --> 01:01:24.570

Deven McGraw: um. You know the purpose of of these pieces that you have an organizational policy, and that it has the following elements. Or if you're sort of acting on a one off basis, that it's based on the following criteria was, you know, deliberately intended to keep an exceptions fairly narrow.

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01:01:24.760 --> 01:01:44.040

Deven McGraw: So I think, if we look at them, considering that we, we appear to be sort of recommending that we provide this much detail only for entities that are not subject to the Federal laws that we sort of think about, whether these particular components are um helpful to again

456

01:01:44.080 --> 01:02:00.510

Deven McGraw: creating a narrow but justifiable list of ways that entities can withhold the sharing of data. Um, you know, for what we would hope would be legitimate reasons of preventing harm, because I'll have to say. On the one hand, I always thought that some of this stuff was

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01:02:00.520 --> 01:02:15.919

Deven McGraw: extraordinarily and and arguably unnecessarily detailed. Um, even, you know, in terms of evaluating this at the Federal level. On the other hand, if your goal is, we're trying to promote data sharing and to avoid slippage

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01:02:15.930 --> 01:02:26.510

Deven McGraw: right like avoid, you know, keep the reasons for saying no to only those that are legitimate. And so hence you have these sort of really um

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01:02:26.520 --> 01:02:50.090

Deven McGraw: picky and detailed circumstances under under which you can say, not not just in terms of your rationale, but also how you're implementing the rationale. Are you doing it by organizational policy, or you're doing it on a one off basis. And and I, and also whether ultimately given that you Don't, have to have policy, and you can do it on a one off basis in certain circumstances. Whether this amount of detail is

460

01:02:50.100 --> 01:02:54.850

Deven McGraw: necessary, I think, is it? We have an opportunity to make that decision for some of our

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01:02:55.510 --> 01:03:03.919

Deven McGraw: If some of these entities again, who are not going to be covered by the Federal rules, and who may be among our less resourced entities participating in this framework.

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01:03:03.930 --> 01:03:17.800

Helen Pfister: Yeah, no, I tend to agree. I see Matt. Eisenberg comments as well. But this is unnecessary. So i'm not afterwards. I'm inclined to take this concept a much succincter version of my comment,

463

01:03:18.880 --> 01:03:25.330

Helen Pfister: and a plus one from we as well. Okay, we've We've reached consensus on at least one point of this policy. This is tremendous progress.

464

01:03:25.520 --> 01:03:29.190

Helen Pfister: Um. Okay. So let's move on. So that is the end of the

465

01:03:34.190 --> 01:03:43.119

Helen Pfister: Okay. Um. So next slide, please um moving on to the privacy exception. Um, this is obviously

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01:03:43.610 --> 01:03:46.499

Helen Pfister: sorry. Lots of talking.

467

01:03:46.650 --> 01:03:54.000

Helen Pfister: Um! The The The section of information blocking rules that that makes an exception for um

468

01:03:54.070 --> 01:03:56.570

Helen Pfister: practices designed to um

469

01:03:56.650 --> 01:04:04.929

Helen Pfister: protect privacy. Um. One of the except that has three sub, seven exceptions, basically, and one is when there is a

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01:04:05.190 --> 01:04:13.420

Helen Pfister: legally required precondition, like, for example, a patient consent that is necessary for sharing information,

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01:04:13.440 --> 01:04:24.509

Helen Pfister: and that condition has not been satisfied, and under the Federal rules there are three requirements that have to be met in order for this sub exception to apply,

472

01:04:24.610 --> 01:04:30.440

Helen Pfister: and the first one is that the practice has to be tailored to the precondition, not satisfied,

473

01:04:30.480 --> 01:04:48.730

Helen Pfister: be implemented in a consistent and non-discriminatory manner, and then either back to what we said before, be consistent with an organizational policy, or be documented on the case by case basis. And if we're doing with the organizational policy concept, then I would think that to quote Matt Eisenberg, This may also be absolutely unnecessary.

474

01:04:48.740 --> 01:04:55.319

Helen Pfister: Um! And but I think maybe the bit about the practice being tailored to the precondition

475

01:04:55.340 --> 01:05:01.730

Helen Pfister: and being implemented consistently, and not just one totally, maybe that should stay. But welcome thoughts on on on that.

476

01:05:13.470 --> 01:05:26.529

Lee Tien (he/him) EFF: Yeah, I just, you know, when I read this called the yesterday, I did not really understand what how you're supposed to interpret

477

01:05:26.740 --> 01:05:34.740

Lee Tien (he/him) EFF: tailored to the applicable precondition I mean, I was that just felt very vague to me, and I wasn't sure

478

01:05:34.820 --> 01:05:40.580

Lee Tien (he/him) EFF: How? Who was going to actually decide what what the Rio tailoring

479

01:05:41.080 --> 01:05:43.100

Lee Tien (he/him) EFF: proper tailoring was there?

480

01:05:44.290 --> 01:05:59.239

Lee Tien (he/him) EFF: I mean, this goes to the fact that this this entire information. Blocking is in a passive voice. I guess eventually the governance entity will look at it. But I did not understand the tailoring concept. Then it felt like it was an additional thing that people would scratch their at about.

481

01:06:00.760 --> 01:06:06.309

Helen Pfister: So that's a fair point. I think we can take that back and and give that some more thought, maybe. Eliminate that as well.

482

01:06:11.200 --> 01:06:13.570

Courtney Hansen: And we have one more hand from Diana.

483

01:06:15.790 --> 01:06:18.980

Diana Kaempfer-Tong: Yeah, this just um, just two quick comments.

484

01:06:19.240 --> 01:06:24.980

Diana Kaempfer-Tong: How subsection I reads it looks like we are going to

485

01:06:25.150 --> 01:06:26.220

Diana Kaempfer-Tong: take

486

01:06:26.840 --> 01:06:44.440

Diana Kaempfer-Tong: actions to specifically get around or to fulfill preconditions. And um, you know the the the laws protecting the data that public health holds were put into place specifically to protect that. And so just how it reads it. It.

487

01:06:44.450 --> 01:06:47.550

Diana Kaempfer-Tong: It looks as if we are going to try and

488

01:06:48.000 --> 01:06:51.839

Diana Kaempfer-Tong: work to make it so that we can share this data.

489

01:06:52.440 --> 01:06:57.790

Diana Kaempfer-Tong: Maybe, you know, without conforming to the laws as as closely as we could or should,

490

01:06:57.870 --> 01:07:12.460

Diana Kaempfer-Tong: and then, on subsection two um, A little clarity. On what case by case basis is would be helpful. Um! Because if this is person by person with um information on basically

491

01:07:12.630 --> 01:07:23.020

Diana Kaempfer-Tong: almost every Californian that might be a little difficult. But if it's just program by program or specific type of request, by type of request that would be more feasible. So

492

01:07:23.290 --> 01:07:31.560

Helen Pfister: I think it's. If it's program by program or by specific type of request, it will probably come under the under one, the organization policies concept. So

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01:07:31.720 --> 01:07:35.400

Helen Pfister: um. But let let us think a little bit about how we can

494

01:07:36.310 --> 01:07:43.999

Helen Pfister: simplify this, or or modify this to make it work in the context of just folks who are not subject to the, to the Federal Information blocking

495

01:07:44.270 --> 01:07:47.230

Helen Pfister: regulations. That's the That's a good point, Diana,

496

01:07:49.320 --> 01:07:54.350

Helen Pfister: any other thoughts on this, these specific provisions that we should be taking more from that?

497

01:07:55.760 --> 01:08:10.659

Deven McGraw: Yeah, I I think this is um another. You know Lee Lee's common about passive voice made me remember that the Federal Government and crafting these information blocking exceptions, was sort of forced to articulate all of this in passive voice,

498

01:08:10.670 --> 01:08:26.249

Deven McGraw: because they were directed to create circumstances that would not be information blocking, which is kind of the same situation we're in. But I still think that we could, we could follow something more active, which is to say, you know, when you're following the the applicable law, you're not blocking

499

01:08:26.260 --> 01:08:41.839

Deven McGraw: right, because because absolutely um, you know, for the prior comment, there there would be nothing in these rules that could be utilized to get around existing law like. In In fact, this is the home, for I'm not sharing with you because

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01:08:41.850 --> 01:08:57.779

Deven McGraw: I had. There's a legal condition that has to be met, which is, you have to get the patient's consent, or you have to have some other permission in the law, or you're actually prohibited from getting it under this. And and so, therefore i'm not going to share it. So it's. It's really intended to be that simple. And yet,

501

01:08:57.800 --> 01:09:08.460

Deven McGraw: as articulated, it, it looks more convoluted than it needs to be

502

01:09:12.149 --> 01:09:14.020

Helen Pfister: any other comments on this,

503

01:09:15.140 --> 01:09:18.589

Courtney Hansen: A few in the chat. But I no more hands.

504

01:09:19.109 --> 01:09:31.330

Helen Pfister: Okay. So next slide. Um. So this one basically says that if the legal barrier to the information sharing is that there's that that um

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01:09:31.600 --> 01:09:47.040

Helen Pfister: the person requesting. But there's not a that there that can center authorization is required from the person who's added is, and the participant Hasn't gotten the required consent authorization. Then the participant has to try to provide the person with the satisfactory

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01:09:47.210 --> 01:09:52.019

Helen Pfister: can center authorization and not encourage them to withhold back and center authorization.

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01:09:52.460 --> 01:09:57.380

Helen Pfister: So question is whether this is something we want to impose upon the

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01:09:57.750 --> 01:10:04.669

Helen Pfister: organizations that are part of the Dx that are not already subject to this rule or this something that we think is um overly

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01:10:04.950 --> 01:10:06.040

Helen Pfister: burdensome.

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01:10:11.180 --> 01:10:12.470

Courtney Hansen: Go ahead, Devon.

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01:10:12.740 --> 01:10:20.209

Deven McGraw: So I think the intent of this is to keep um entities from having a built in excuse not to share for defective consent.

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01:10:20.340 --> 01:10:38.340

Deven McGraw: Right? So somebody somebody who was requesting the data presents a consent, and it's missing an element. It's not in the proper size font. It's missing a particular piece of it, and under the original information. Blocking rules. Um, they data Holder had to fix the consent,

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01:10:38.540 --> 01:10:57.140

Deven McGraw: and they change that in the final rules, so that the Requester still has to present, you know, sort of the valid consent for the data, but the entity just can't get. You know that the data holder can't just say Oh, it's it's wrong. And so therefore you can't have the data they have to. They have to help a little bit by saying why it was defective,

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01:10:57.150 --> 01:11:08.080

Deven McGraw: and giving giving a chance for that consent to be corrected, and then not um exerting undo influence on the individual to not, you know, to withhold that consent.

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01:11:08.510 --> 01:11:28.489

Deven McGraw: So it's complicated. But, on the other hand, it is kind of designed to um avoid form over function kinds of discussions, like, you know, where the patient had actually consented for the data, but it wasn't a perfect consent in terms of legal requirements. Is there? Is there room to

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01:11:28.500 --> 01:11:42.980

Deven McGraw: um, you know? Do we allow that to be the end of the conversation, or is there their requirement to essentially cooperate? And maybe this is just a lot easier to articulate in terms of, you know. Just cooperate and be be be a you know. Um,

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01:11:43.560 --> 01:11:46.900

Deven McGraw: you know you can to decline based on um.

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01:11:46.960 --> 01:11:49.350

Deven McGraw: You know something that could be easily corrected.

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01:11:49.420 --> 01:11:57.209

Deven McGraw: Uh, in the consent I I don't know, but that's I. I thought it would help to shed light on this, because it's another place where there's just a lot of words and a fairly simple concept.

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01:11:59.310 --> 01:12:00.580

Courtney Hansen: Thanks, Devin.

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01:12:00.750 --> 01:12:01.769

Courtney Hansen: Diana

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01:12:04.180 --> 01:12:20.310

Diana Kaempfer-Tong: gonna echo Devon's comment on as far as this this, you know. I understand the purpose behind this that it's kind of It's it's trying to avoid being well. It wasn't in the right font kind of issue. Um. I will put out there. How it's written does

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01:12:20.320 --> 01:12:24.829

Diana Kaempfer-Tong: give the effect, especially with the use of encourage um of

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01:12:25.300 --> 01:12:31.070

Diana Kaempfer-Tong: when it's applied to a governmental entity requiring the governmental entity,

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01:12:31.460 --> 01:12:45.679

Diana Kaempfer-Tong: or appearing to require the governmental entity to encourage an individual to relinquish a privacy right afforded to them under the Ipa Um. And because the authorizations can, can,

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01:12:45.700 --> 01:12:51.470

Diana Kaempfer-Tong: you know, wave a whole bunch of protections that they are afforded under the law?

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01:12:51.560 --> 01:12:55.389

Diana Kaempfer-Tong: Maybe wording this so it it aims more at

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01:12:55.500 --> 01:12:56.710

Diana Kaempfer-Tong: not

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01:12:57.040 --> 01:13:01.029

Diana Kaempfer-Tong: having um, you know, aims more at the form

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01:13:01.180 --> 01:13:03.490

Diana Kaempfer-Tong: of the uh authorization.

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01:13:03.590 --> 01:13:11.259

Diana Kaempfer-Tong: Um, rather than kind of how it's worded now where it it comes off as um

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01:13:11.310 --> 01:13:13.420

Diana Kaempfer-Tong: encouraging us to

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01:13:14.450 --> 01:13:20.040

Diana Kaempfer-Tong: push in uh individuals across the line, which you know is the Government. Then trying to get a

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01:13:20.260 --> 01:13:24.569

Diana Kaempfer-Tong: an authorization from somebody um for a right that they're reported

535

01:13:24.840 --> 01:13:32.679

Helen Pfister: so just just to clear up the best, not the intent on the intent is that you can't improperly encourage them not to withhold it. You do not have to encourage them to sign it.

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01:13:33.010 --> 01:13:46.100

Diana Kaempfer-Tong: Yeah, that's understood. It's just how it was worded. Both myself and several other attorneys who have read that were like this. This could be read as challenging for a governmental entity. So I wanted to put that out there.

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01:13:48.140 --> 01:13:50.250

Courtney Hansen: Thanks, Diana Emily.

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01:13:50.660 --> 01:13:55.510

Lee Tien (he/him) EFF: Yeah, I have sort of a just an empirical, practical question about how this

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01:13:55.570 --> 01:14:01.199

Lee Tien (he/him) EFF: kind of process has worked at the in other contexts that feels like the

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01:14:01.230 --> 01:14:02.490

Lee Tien (he/him) EFF: you could.

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01:14:03.050 --> 01:14:12.349

Lee Tien (he/him) EFF: You'd run into a scale problem on, you know, like in a State like California. But if it's the Federal will, maybe maybe you're not. But um,

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01:14:12.910 --> 01:14:22.360

Lee Tien (he/him) EFF: it's gonna take. It would take time to actually get the the authorization or consent, or from the

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01:14:22.570 --> 01:14:29.830

Lee Tien (he/him) EFF: from the patient if the patient's position didn't actually have it. And so i'm curious if we have

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01:14:29.900 --> 01:14:31.910

Lee Tien (he/him) EFF: data or

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01:14:32.250 --> 01:14:42.949

Lee Tien (he/him) EFF: estimates about the transactions cost around these um around this exception, i'm just curious from from the Federal experience. Thanks

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01:14:50.910 --> 01:14:55.179

Helen Pfister: any thoughts about. I don't have any sense for for for the bonus there with this

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01:14:55.750 --> 01:15:13.750

Deven McGraw: Yeah, that you know what at the Federal level we would. It would be hard for us to tell, because so many of the actors that are covered by the Federal information. Blocking rules can rely on the hipaa permissions to exchange a lot of data without necessarily the need to obtain consent. So it's only, you know, sort of a handful of potential

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01:15:13.760 --> 01:15:27.579

Deven McGraw: information Blocking use cases, many of which are not identified as priorities for enforcement, like you know, use of data for research purposes and and things where consent is required. Um so,

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01:15:27.720 --> 01:15:44.729

Deven McGraw: and we have had no enforcement. So it's really hard to know. But it's definitely true at the Federal level that so much of exchange um that is envisioned to be encouraged under the information. Blocking rules doesn't require an individual's consent,

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01:15:44.760 --> 01:15:52.320

Deven McGraw: and so, consequently the idea that someone would need a consent in order for the data to be shared, and it might be a faulty consent,

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01:15:52.440 --> 01:16:04.289

Deven McGraw: maybe less relevant than it might be in in California. Um, particularly given that we're sharing social services, data, and you know, and other types of sensitive data that may be subject to a a a consent law.

552

01:16:10.630 --> 01:16:22.649

Helen Pfister: Any other comments on this slide. I think we can skip number three of it. I think we we all agree that that's sort of consistent what we talked about before in terms of organizational policies, I think that probably is is is overkill for our purposes here.

553

01:16:28.560 --> 01:16:30.779

Helen Pfister: Okay, Can we move on any hands?

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01:16:31.910 --> 01:16:46.520

Helen Pfister: No hands? Okay. So next slide, please. Um. Okay. So the second. So sub exception on the privacy exception. Um relates to it. When an when an individual request not to share information.

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01:16:46.600 --> 01:16:55.640

Helen Pfister: Um and basically a participant can elect not to share information if individual requests that they don't as long as the requirements on this slide

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01:16:55.770 --> 01:16:57.080

Helen Pfister: are met.

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01:16:57.150 --> 01:17:09.129

Helen Pfister: Um. So welcome thoughts on whether we think these requirements make sense in the context of the Dxf, or whether we think some of these are also inappropriate or overreaching.

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01:17:21.930 --> 01:17:26.669

Lee Tien (he/him) EFF: Yeah, this is just the thing I asked earlier. But I don't.

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01:17:28.440 --> 01:17:32.589

Lee Tien (he/him) EFF: I mean, when do you? When does an individual know that

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01:17:32.650 --> 01:17:44.260

Lee Tien (he/him) EFF: that something is that their information is about to be exchanged? Do they know all that every time I don't think they do so? How do How does one respect the individuals. Um,

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01:17:44.460 --> 01:18:02.220

Lee Tien (he/him) EFF: if not right, at least uh ability to request this on a regular basis? Or if they, how do they know who the information would be shared with um like. Maybe the first time they are their data goes in. They don't. It is not including certain entities, and then,

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01:18:02.230 --> 01:18:11.920

Lee Tien (he/him) EFF: you know, then then it does. Do they get informed? I'm. Just curious about how they know what the parameters of the sharing are, so that they can

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01:18:12.360 --> 01:18:14.970

Lee Tien (he/him) EFF: make a request or not thank you.

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01:18:15.070 --> 01:18:25.270

Helen Pfister: Well, it's really no different than how things happen today. Right? If somebody goes in for care for an issue that is sensitive. For some reason they can request that

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01:18:25.400 --> 01:18:35.359

Helen Pfister: the provider not share that data with with other, with with with with other parties. So I don't think we're changing that at all. I mean again, this is not a

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01:18:35.500 --> 01:18:38.749

Helen Pfister: This is not an HIE. This is not a centralized

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01:18:39.340 --> 01:18:41.559

Helen Pfister: system here. It's just um

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01:18:41.960 --> 01:19:01.310

Helen Pfister: trying to make it clear that if you are a social services organization in California and you have signed this data sharing agreement, and a patient comes to you and says, Hey, I just get xyz pair for me. Please don't show up with anybody else. You can comply with that request. As long as you need the requirements set forth on this slide, or however, we decide to modify them

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01:19:07.420 --> 01:19:23.870

Courtney Hansen: before I call on additional uh commenters. I want to flag that we have about five minutes left in the allotted information blocking um conversation, and that's uh already going substantially into our transaction.

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01:19:24.010 --> 01:19:25.779

Courtney Hansen: Um discussion.

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01:19:25.910 --> 01:19:35.109

Courtney Hansen: Do folk? I think that this is a really important discussion. Um. And so I wanted to hear from folks What What are your priorities? Do you want to

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01:19:35.300 --> 01:19:40.009

Courtney Hansen: continue flushing out information, blocking? Or do you want to?

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01:19:40.180 --> 01:19:41.269

Courtney Hansen: Um

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01:19:41.980 --> 01:19:45.009

Courtney Hansen: get to our

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01:19:45.030 --> 01:19:52.040

Courtney Hansen: uh next P. Andps and have a discussion on them, or wait on them until next time? Do just written comment:

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01:19:52.610 --> 01:19:53.559

Courtney Hansen: Um,

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01:19:54.060 --> 01:19:59.990

Courtney Hansen: this conversation has been really valuable, so go ahead, feel free to go off me. I just looking for

578

01:20:00.030 --> 01:20:01.889

Courtney Hansen: um Thoughts

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01:20:05.360 --> 01:20:20.609

Deven McGraw: I think moving on would be helpful. I think we've identified a lot of places where we want to streamline this and create create some simplicity here, and we could always revisit it in a future call, because I think we're going to have a lot of similar comments

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01:20:20.620 --> 01:20:31.649

Deven McGraw: in some of the other um safe harbor exceptions that were um, and we we We can also take another look and provide comments to um to the staff with an eye towards,

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01:20:31.850 --> 01:20:41.700

Deven McGraw: you know, not replicating the information blocking rules, but to getting, you know, more tailored to folks not covered by the Federal rules and and creating some simplicity throughout,

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01:20:41.760 --> 01:20:47.900

Deven McGraw: because that'll be a lot of it won't be all the comments. But it'll be a lot of the comments going forward.

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01:20:48.760 --> 01:20:52.380

Courtney Hansen: Thanks, Devin. I'm hearing a lot of uh similar

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01:20:52.470 --> 01:20:54.280

Courtney Hansen: comments in the chat.

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01:20:54.380 --> 01:21:04.130

Courtney Hansen: Um. So rather than going through uh additional discussion, i'm going to turn it over to Helen to wrap us up on information, blocking and

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01:21:04.280 --> 01:21:19.449

Courtney Hansen: encourage all the panelists to email any additional comments. Um questions concerns. And as Helen mentioned before, solutions um to us to go over and rework this draft,

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01:21:20.810 --> 01:21:26.729

Helen Pfister: and I think we can also talk about whether it makes sense. We We've only gone through three weeks or two of the exceptions. But um!

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01:21:26.910 --> 01:21:36.300

Helen Pfister: It's been a really helpful, so I almost wonder whether it makes sense for us to take it back and try to redraft the entire policy and then have folks in the committee react to it as opposed to

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01:21:36.430 --> 01:21:38.589

Helen Pfister: what we can talk about it. But let's

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01:21:39.060 --> 01:21:44.959

Helen Pfister: but let's move on for a month to monitoring and auditing at this point, so that we slide thirty two. I will need

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01:21:48.240 --> 01:21:50.310

Courtney Hansen: thanks. Everyone for your flexibility.

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01:21:50.360 --> 01:21:51.250

Okay.

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01:21:51.680 --> 01:22:03.949

Helen Pfister: Um. Okay. So the purpose of this P&P. Is to set forth the processes that the governing sent to people use to make sure participants are a starting with Dsa, and be complying with their obligations. And the Dsa

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01:22:03.960 --> 01:22:11.689

Helen Pfister: um! And this is much more high level than the information. Walking policies so hopefully will take us a lot less time to go through, although of course we welcome

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01:22:11.740 --> 01:22:14.329

Helen Pfister: all of your thoughts.

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01:22:14.540 --> 01:22:15.840

Helen Pfister: Um.

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01:22:16.140 --> 01:22:23.479

Helen Pfister: And so basically, like I said here, basically, what the governance actually will do is make sure that everyone's got a somebody to say we'll do so

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01:22:23.530 --> 01:22:40.209

Helen Pfister: and make sure that um folks are complying with the obligations of the Dsa. We realize, of course, but it's not practical for the governance entity to audit every single participant, not even close. Um, So there is going to be some flexibility here, so let's move on to the next slide.

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01:22:42.310 --> 01:22:48.260

Helen Pfister: So what we're saying here is that the governance entity will be responsible for things like

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01:22:48.400 --> 01:22:57.749

Helen Pfister: making sure that participants are exchanging information in accordance with the um two Pm. On this topic, which is the required permitted and primitive purposes P&P.

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01:22:57.790 --> 01:23:00.029

Helen Pfister: The requirement to change P&P

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01:23:00.360 --> 01:23:06.210

Helen Pfister: um verify that participants are using safeguards in accordance with the privacy and security P&P.

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01:23:06.420 --> 01:23:23.399

Helen Pfister: Verify that participants are complying with the individual access, P&P. And verifying that the participants aren't engaging in information blocking. I think we're going to have to retweet this little bit basically discussion. We just had. Um. But that's the the general concept is that the governance entity.

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01:23:23.410 --> 01:23:32.750

Helen Pfister: Will be responsible for monitoring compliance with the elements of the Ds. And its Ps. As well as anything else. But may that may become an issue going forward

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01:23:32.860 --> 01:23:39.670

Helen Pfister: so questions or comments about as a framework. Is that too high level? Um, just love your love, your thoughts, and how we've we've laid this out.

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01:23:48.340 --> 01:24:00.790

Leo Pak: Are you having trouble going off mute? Leo? Go ahead

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01:24:01.000 --> 01:24:10.179

Leo Pak: uh is an H. lo going to be part of these rules and regulations uh whether they sign this um

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01:24:10.840 --> 01:24:12.870

Leo Pak: data sharing agreement or not.

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01:24:16.890 --> 01:24:24.630

Helen Pfister: So um, no one is bound by the Pmp. It would be a same as we sign the Ds

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01:24:24.710 --> 01:24:34.709

Helen Pfister: um! There is going to be a whole Q. Hio! Destination process um, which we'll get into, and if it's later today, or at a separate a separate meeting.

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01:24:35.020 --> 01:24:36.380

Helen Pfister: Um.

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01:24:36.470 --> 01:24:53.950

Helen Pfister: So I think the answer is that the hope is that the Qh. I will become Qhos, and that by joining Qh. I. The participants will be able to meet their obligations. Um. But to the extent that participants don't join A. Qh. lo. And are using their own technology, Then this monitoring and auditing becomes much more

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01:24:55.190 --> 01:24:56.290

Helen Pfister: important.

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01:24:56.510 --> 01:25:09.219

Helen Pfister: Um, I think, and others, and the that Cdi team jumped in. But I mean my understanding is that if you join A. Qh. lo. The Qh: I is going to facilitate the data sharing that you have to do in order to apply with with Dsa and the Pmps

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01:25:10.120 --> 01:25:27.270

Helen Pfister: right. So the Qs. I, as a entity, is not obligated under these policies and procedures because they're not in a signatory of it. Is that correct?

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01:25:28.030 --> 01:25:37.420

Helen Pfister: And there'll be A. Qh. lo, P. And P. And A. Q. H. lo program that will set forth exactly what the Qh. I always have to comply with in order to become Qh: is

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01:25:37.680 --> 01:25:43.059

Leo Pak: okay. So I have two very quick questions. Under those contexts one is

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01:25:43.180 --> 01:25:47.169

Leo Pak: on the monitoring and auditing perspective consent.

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01:25:47.600 --> 01:25:58.870

Leo Pak: Um. Is the Q. I. O. Responsible for accepting patients consent, because that changes the dynamic very drastically.

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01:25:58.970 --> 01:26:07.599

Leo Pak: Uh and the other one is from a monitoring of lot of these policies and procedures. Do you see the function of the Qio?

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01:26:08.130 --> 01:26:09.850

Deven McGraw: Some of that?

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01:26:10.840 --> 01:26:20.369

Helen Pfister: So I will have to defer to others on the Manette Cdi team have been more focused on the Qh. lo program. I'm. Not sure

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01:26:20.460 --> 01:26:23.469

Helen Pfister: where the thinking is on that at the moment

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01:26:24.530 --> 01:26:45.640

Rim Cothren: i'm no rim. If you have thoughts on that or Jonah, or Well, frankly, Helen, my my concern about getting into the Qhos is that we are drastically over time today,

and that's scheduled for another meeting. I I think that we need to figure out some way to move today's agenda forward and address that when it's on this on the agenda

625

01:26:49.420 --> 01:26:56.110

Courtney Hansen: I would agree, I think, that this Qh. lo discussion is great, but we have time allotted for it at the at a future meeting,

626

01:26:56.610 --> 01:26:58.699

Courtney Hansen: and then i'll turn it over to mark

627

01:27:01.190 --> 01:27:06.210

Mark Savage: quick question. I may have missed this, but where does Enforcement fit into

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01:27:06.560 --> 01:27:17.599

Mark Savage: this framework? Not seeing provisions on monitoring and auditing? P. And t didn't see a reference to a separate Enforcement P. And P. It is in the Dsa.

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01:27:17.860 --> 01:27:22.269

Mark Savage: Um. So I just flag that maybe for consideration offline

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01:27:23.610 --> 01:27:26.139

Mark Savage: monitoring and and auditing without enforcement.

631

01:27:26.420 --> 01:27:36.029

Helen Pfister: No, it's definitely not. There'll be a separate enforcement, Pmp. And there was also going to be separate legislation waiting to enforce an authority.

632

01:27:40.550 --> 01:27:41.440

John,

633

01:27:44.730 --> 01:27:49.729

John Helvey: are we going? Is there a definition to bi-directional access? What that's read? Right

634

01:27:50.360 --> 01:27:54.820

John Helvey: change request change And Then in previous meetings we've had

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01:27:54.850 --> 01:27:57.360

John Helvey: you know the discussion around

636

01:27:57.620 --> 01:27:58.719

John Helvey: um

637

01:27:59.690 --> 01:28:02.819

John Helvey: individuals having access to

638

01:28:02.940 --> 01:28:04.120

John Helvey: um

639

01:28:04.140 --> 01:28:07.439

John Helvey: change their records, and

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01:28:07.610 --> 01:28:11.300

John Helvey: I think we need a lot more discussion on how that applies to

641

01:28:11.430 --> 01:28:16.830

John Helvey: what health information organizations have, and what was the source of that record? And then where?

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01:28:17.650 --> 01:28:20.799

John Helvey: What does that change have to happen if it's requested,

643

01:28:20.950 --> 01:28:23.450

John Helvey: you know, at the level of the hio.

644

01:28:23.720 --> 01:28:24.920

Um,

645

01:28:25.330 --> 01:28:28.079

John Helvey: so i'd like to hear more conversation about that.

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01:28:32.360 --> 01:28:43.530

Helen Pfister: So I mean so this these, both one through four, literally just pretty much say that the governance entity will verify that the participants comply with existing P. And P.

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01:28:43.610 --> 01:28:55.150

Helen Pfister: The bi-directional access language came from the individual user that was Pmp: Um. I don't recall the stress we had about that back when we went through that Pmp: I don't know ram or others, if you do. Um,

648

01:28:55.410 --> 01:28:59.010

Helen Pfister: but i'm not sure if this given our time constraint is the right time to talk about.

649

01:28:59.390 --> 01:29:00.619

Helen Pfister: Talk about that

650

01:29:08.470 --> 01:29:09.450

Courtney Hansen: devin.

651

01:29:11.650 --> 01:29:22.100

Deven McGraw: Yeah, I was gonna say, Helen, I think that that you know, based on sort of what I have seen around governance entity structures, for in exchange I think this looks This looks right.

652

01:29:22.300 --> 01:29:26.169

Deven McGraw: Um! It feels, though, like um,

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01:29:26.900 --> 01:29:43.400

Deven McGraw: you know, they're basically responsible for for potentially monitoring compliance across the board with all the pnps, and maybe one through four. That's not an exclusive list clearly, but maybe these are um by by calling them out. Do we intend for these to be priorities, or was it just an an effort to try to

654

01:29:44.130 --> 01:29:45.490

Deven McGraw: describe,

655

01:29:45.660 --> 01:30:02.920

Deven McGraw: to provide a little more meat on the bones to what the authority is, because I think in general it's definitely it's the it's the right direction to go in. I mean, lots of questions have been have been raised about. Where is the accountability? And what is this means for Qh: ios, and we'll, we'll have time to discuss those. But in terms of bones the basic bones. This looks right to me.

656

01:30:04.540 --> 01:30:14.469

Helen Pfister: Yeah, we call that the ones that really upset for the requirements. But the participants have to meet the other Pmp's. Like menu Dsa amendment, the Pmp. There is obviously not relevant to the monitoring and auditing

657

01:30:14.730 --> 01:30:16.290

Helen Pfister: functions of the governance entity.

658

01:30:19.610 --> 01:30:33.040

Helen Pfister: Uh. The other point on this slide is when this came up earlier. It does provide for the Government to set up a complaint process that allows anyone to file a complaint. If a participant is not complying with its obligations under the Dsa. And the governance entity will

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01:30:33.300 --> 01:30:38.000

Helen Pfister: make available um information on what that process is, and how complaints can be submitted.

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01:30:45.090 --> 01:30:50.749

Courtney Hansen: Anything else on this Helen? Uh John, did you have any additional comments. It looks like your hands still raised.

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01:30:52.770 --> 01:30:55.169

Courtney Hansen: Sounds good. All right, Helen. You're good.

662

01:30:56.190 --> 01:31:02.789

Helen Pfister: Okay. And then uh, next slide is um set for the obligations of the participants.

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01:31:03.270 --> 01:31:14.550

Helen Pfister: Um! They have to make their internal pack practices, books and records related to their compliance with Thesa available to the governance activity with advance written notice, and during regular business hours.

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01:31:15.310 --> 01:31:27.219

Helen Pfister: Um. And then, as you may remember, in the Dsa itself, we anticipated that a participant could comply with its obligations through three ways, through its own technology,

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01:31:27.390 --> 01:31:30.890

Helen Pfister: through A. Qh. Io. And through some other

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01:31:31.510 --> 01:31:44.109

Helen Pfister: intermediary, that Doesn't. That is not A. Qhil. And so paragraphs B. C and D, which is on the next slide. Basically, say, if a participants exchanging data through a Q hio,

667

01:31:44.120 --> 01:31:53.829

Helen Pfister: then the person has to test on an annual basis that it has entered into an agreement with the Qhil, and that is exchanging data in accordance with the requirements in the Dsa.

668

01:31:53.840 --> 01:32:07.299

Helen Pfister: So um! This is a business like a very simple one-page forum, but it isn't anywhere test station. But we know the governor's engine who knows who is um participating in the Qh. Io. To satisfy their their obligations,

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01:32:08.340 --> 01:32:10.070

Helen Pfister: questions, or comments on that,

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01:32:14.540 --> 01:32:15.510

Courtney Hansen: Steven:

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01:32:15.740 --> 01:32:32.519

Steven Lane: Yeah, um. Can. Can we back up a little bit and just discuss how we ended up in this situation. Um, you know, in in the Federal tefka world everyone who's going to be exchanging over the the tough guy is going to be going through A. Q. H. I. N.

672

01:32:32.530 --> 01:32:48.230

Steven Lane: Um, and in the state we're sort of saying that the qhos, you know, while important, and they need to be qualified and meet certain criteria that they're not going to be a required on ramp or entry point to the framework.

673

01:32:48.240 --> 01:33:12.270

Steven Lane: A. And and I guess and I've been involved in this discussion since the beginning, and and that just sort of that snuck up on me a little bit, you know, in some of our our recent meetings. Um! What? What's the vision here? Why, why do we even have Qhos? If people don't need to use them? Uh, what what is going to be their marginal benefit, if you can simply attest to the fact that you're doing the Exchange.

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01:33:15.330 --> 01:33:19.029

Jonah Frohlich: Um, let's see. I I can take that. I think. Um

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01:33:19.300 --> 01:33:21.929

Jonah Frohlich: you you can attach, but you also I

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01:33:22.800 --> 01:33:37.480

Jonah Frohlich: You also have to actually verify that you are actively participating in the exchange, and you can function without an hio. There's nothing that requires that any organization actually do. The The purpose of the Hio qualification process

677

01:33:38.140 --> 01:33:55.969

Jonah Frohlich: is to validate that there are entities, intermediaries out there that can facilitate and meet all the requirements to set forth here and in the Pmp. And that to a participant that signs up with the Qh. lo. Has assurances that they will be exchanging data in accordance with those Pmps,

678

01:33:56.980 --> 01:34:00.849

Jonah Frohlich: So that's the purpose That's the rationale behind having them.

679

01:34:01.130 --> 01:34:02.110

Jonah Frohlich: Um.

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01:34:03.340 --> 01:34:16.629

Jonah Frohlich: So an organization can attest that it's doing all those things without a qualified Hiv. And there's no reason why they can't um, and many organizations may choose to do so. You might also use, like a national network, a tech uh got queue hand that

681

01:34:16.720 --> 01:34:21.509

that satisfies most of the criteria. But if it can't, for example,

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01:34:22.050 --> 01:34:31.570

Jonah Frohlich: support, exchange of information with a managed care. Plan. Um, then a Medicare plan or another entity, or it doesn't have certain capabilities that are required than the entity.

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01:34:31.760 --> 01:34:35.999

Jonah Frohlich: The signatory who's signing up with the key, then, would also need to

684

01:34:36.200 --> 01:34:42.279

Jonah Frohlich: do whatever additional functions that you him cannot meet. Uh, sorry that uh qin cannot mean

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01:34:42.530 --> 01:34:45.430

Jonah Frohlich: um. So there are many different paths that an organization

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01:34:45.720 --> 01:34:54.319

Jonah Frohlich: you can choose. But the whole purpose of this queue, a lo process is to validate their intermediaries that can help any signatory meet all of its obligation.

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01:34:57.070 --> 01:35:08.760

Steven Lane: So failing failing, the use of A. Q hio, the signatory has to individually attest that they're meeting all of their obligations through some combination of means.

688

01:35:09.630 --> 01:35:11.300

Jonah Frohlich: I think that's right. Yes,

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01:35:11.720 --> 01:35:17.420

Helen Pfister: yeah, either through their own technology, which is on the next slide or through another intermediary. That's not a Qh: lo

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01:35:19.490 --> 01:35:20.840

Steven Lane: got it. Thank you.

691

01:35:23.620 --> 01:35:25.800

Courtney Hansen: Thanks, Steven. Late.

692

01:35:26.180 --> 01:35:28.389

Lee Tien (he/him) EFF: Yeah. So um

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01:35:28.480 --> 01:35:34.660

Lee Tien (he/him) EFF: uh Matthew has a a a point in the chat about some of the perhaps

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01:35:34.690 --> 01:35:39.800

Lee Tien (he/him) EFF: breadth of the monitoring activity, and I wanted to.

695

01:35:40.050 --> 01:35:41.980

Lee Tien (he/him) EFF: So So the

696

01:35:42.160 --> 01:35:53.989

Lee Tien (he/him) EFF: the phrase in the in the pnp is any monitoring and auditing activities that it deems necessary, and that seems fairly.

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01:35:54.160 --> 01:35:57.869

Lee Tien (he/him) EFF: And i'm curious where there is

698

01:35:57.970 --> 01:36:00.389

Lee Tien (he/him) EFF: any cabinet of

699

01:36:00.730 --> 01:36:02.830

Lee Tien (he/him) EFF: that phrase.

700

01:36:05.810 --> 01:36:07.950

Helen Pfister: Uh, can you go back to the previous slide.

701

01:36:13.160 --> 01:36:17.409

Helen Pfister: Yeah, I mean, we can certainly put in here a reasonableness Qualifier.

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01:36:17.580 --> 01:36:19.899

Helen Pfister: It might have been just like before that. Actually,

703

01:36:20.040 --> 01:36:27.280

Helen Pfister: Um, if it's not in there already. I thought it was, but I could be wrong, so you can say, but it reason it seems necessary to limit it

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01:36:27.300 --> 01:36:40.359

Helen Pfister: somewhat. Um welcome any other suggestions folks may have, because I I think i'm I'm. Certainly the Governor to. I think we're all lined here. Um, I think the governance entity doesn't want. We have limited resources, anyway, and I think we want to make sure that um.

705

01:36:40.440 --> 01:36:51.170

Helen Pfister: The monitoring auditing auditing is efficient and effective. But welcome thoughts on how to cabin, to use your wordly good word. Um, the the the governance. And to these authorities here,

706

01:36:51.700 --> 01:36:53.410

Helen Pfister: other than adding recently,

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01:36:57.040 --> 01:36:58.010

Courtney Hansen: Morgan

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01:36:59.980 --> 01:37:06.489

Morgan Staines, DHCS (he): Thanks. Yeah, I think i'm, i'm back on the the the the the attestations. I'm not sure. There's

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01:37:06.740 --> 01:37:17.370

Morgan Staines, DHCS (he): they will. I don't It's not clear to me why we need three different paragraphs about the testing how we do this, if if it has value. Um

710

01:37:19.560 --> 01:37:27.999

Morgan Staines, DHCS (he): uh that, we attest that we're complying to say that just you know, require that, and you know, and it and it's that

711

01:37:28.390 --> 01:37:38.599

Morgan Staines, DHCS (he): if it's helpful to say, here's that we're doing it with our own resources. We're doing it with outside resources there, you know, that can be a part of it, part of the attestation. So uh,

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01:37:38.770 --> 01:37:40.069

Morgan Staines, DHCS (he): it seems like we went

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01:37:40.400 --> 01:37:44.219

Morgan Staines, DHCS (he): a lot of words here for for little action.

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01:37:45.220 --> 01:37:52.640

Helen Pfister: They're all a little bit different, depending on what the what, the the participants in. A. Q. H. lo. Using another intermediate or using their own technology.

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01:37:54.610 --> 01:37:56.519

Helen Pfister: We can see if we can stream on this

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01:38:01.740 --> 01:38:02.880

Courtney Hansen: devin.

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01:38:04.050 --> 01:38:15.819

Deven McGraw: Yeah, One thing that does occur to me based on I've been sort of monitoring and participating in the chat. On this related to um subsection A on the slide, and the concern that it's going to be um

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01:38:15.920 --> 01:38:31.439

Deven McGraw: um, that it might be unduly burden some, or be a um disincentive for entities to participate cause a fair amount of friction. I mean, there they obviously have the legal requirement to participate. But if they're also exposing their internal books

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01:38:31.450 --> 01:38:46.910

Deven McGraw: that you know, and and Morgan had suggested like, let's just go by outcomes like are they exchanging? Are they not exchanging? And it does occur to me

that it's much more that it might be more likely that the entity itself would want to approve that it was,

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01:38:46.950 --> 01:38:56.899

Deven McGraw: you know, meeting an information blocking, safe harbor, for example, or not exchanging for good reason and and sh provide evidence to the contrary,

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01:38:57.070 --> 01:39:02.769

Deven McGraw: um as opposed to sort of an investigation that is more of an that looks more like an audit.

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01:39:03.240 --> 01:39:10.570

Deven McGraw: Um, that maybe this ought to be more complaint based versus you know, sort of audit to check compliance periodically.

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01:39:10.640 --> 01:39:18.999

Deven McGraw: Um! And then, of course, we would want to make sure that the governance entity has has a legal requirement to protect that data and not make it

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01:39:19.500 --> 01:39:36.229

Deven McGraw: further available. Um, potentially competitively damaging information if it got out and used beyond the purposes for which it was collected. But you would need to do, regardless of whether it's offered in a defensive posture, or or if, in fact, we do provide this governance identity with audit authority.

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01:39:36.680 --> 01:39:55.450

Helen Pfister: So with respect to your second point, Devin, if you go to the next slide, you'll see that sorry there was a lot in this hell, and I didn't remember all of this stuff so that that concern that's actually in the Dsa itself. Okay, so important, we actually re iterated here in the policy itself we anticipated that that will be a

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01:39:55.600 --> 01:39:59.530

Helen Pfister: it concern that false. Would that false? Would that

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01:39:59.700 --> 01:40:06.580

Deven McGraw: But do we? But do we want to have. Do we want there to be sort of periodic audits, or do we just think, like click, be complaint based,

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01:40:06.860 --> 01:40:12.680

Deven McGraw: You know somebody can't get the data they want, then then the entity can provide proof that there's reasons why they're not

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01:40:12.730 --> 01:40:28.759

Helen Pfister: sharing data. As a practical matter. Um, the governance entities resource will be somewhat limited. Um! So I don't make any promises or suggestions about the number of audits, but I don't think it's going to be. But you know There, there'll be resource limitations on that.

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01:40:28.770 --> 01:40:38.969

Helen Pfister: But we did feel that it was important to. We have a complaint based process for sure, but to also give the governance entity the authority to do audits if it feels that it's necessary to do so.

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01:40:47.570 --> 01:41:02.910

Lee Tien (he/him) EFF: Yeah. And this one quick question. I mean, I have been thinking about this from the standpoint of, say, the Uh medical providers who will first grade these signatories. But you know, at some point this would also also apply to. Uh, you know, the governance entity,

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01:41:03.960 --> 01:41:15.870

Lee Tien (he/him) EFF: auditing or inspecting, say, a local local county agency that's involved in in the uh, in the system as well, and i'm wondering if that has that sort of

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01:41:15.880 --> 01:41:34.920

Lee Tien (he/him) EFF: how that's being viewed differently, Are they in a different category? Um, you know a lot. We know a lot of of of smaller departments. Don't have the technology right now to comply with everything, or they may be falling down on the job with respect to security, because they need to, you know, to

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01:41:34.930 --> 01:41:45.879

Lee Tien (he/him) EFF: to get their resources up. So i'm curious how how this gets administered outside of the of the provider area into the various social services agencies, and thanks. Six hundred and fifty.

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01:41:46.520 --> 01:42:03.800

Helen Pfister: No, I think that's a fair question. It's a little bit hard to answer at this point right? Because um we're in October two thousand and twenty-two. That exchange doesn't have to start until January of two thousand and twenty-four at the earliest for certain types of providers, and last gonna happen till between now and then. I think it's hard to to answer that question from where we where we sit today,

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01:42:08.580 --> 01:42:11.240

Courtney Hansen: even. Did you have an additional comment?

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01:42:13.420 --> 01:42:17.070

Steven Lane: No, my bad sorry.

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01:42:17.490 --> 01:42:19.490

Courtney Hansen: Right, Helen. Let's go ahead and move on.

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01:42:20.970 --> 01:42:26.110

Helen Pfister: Okay. So um. I think that may have been it

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01:42:26.860 --> 01:42:30.099

Helen Pfister: so, I think at this point coordinates over to you to discuss

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01:42:30.370 --> 01:42:31.590

next steps.

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01:42:37.800 --> 01:42:39.179

Courtney Hansen: Thanks, Helen.

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01:42:43.090 --> 01:42:51.829

Courtney Hansen: So for the public comment process. Uh KI: Hhs will be releasing all of the P. And the upcoming periods of um Public comment

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01:42:52.640 --> 01:43:05.469

Courtney Hansen: Pnps will be released as they are developed, and the first two pmps on information. Blocking and monitoring and auditing will be made available. Mid November following discussion at the No. November lac meeting,

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01:43:05.660 --> 01:43:15.620

Courtney Hansen: and uh, after today's discussion I don't know that information blocking will quite make it. I think we may need to to bring it back here for additional discussion.

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01:43:15.980 --> 01:43:22.350

Courtney Hansen: Um, but we will be releasing at least monitoring and auditing, and as additional policies are ready,

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01:43:23.170 --> 01:43:27.180

Courtney Hansen: we'll release a template for you to provide your comments in.

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01:43:27.530 --> 01:43:33.139

Courtney Hansen: More information will be communicated to stakeholders and made available on the Dxf website.

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01:43:33.440 --> 01:43:36.369

Courtney Hansen: Uh, we thank you in advance for your critical input

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01:43:36.630 --> 01:43:42.799

Courtney Hansen: and now over to rim at to discuss content on the second set of additional P. And piece.

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01:43:42.980 --> 01:44:00.869

Rim Cothren: Great. Thank you. Um. I have to admit that I was distracted a little bit by the chat comments. I could feel the earthquake here in Walnut Creek as well. That was nice to get a little poll about the extent to where people could uh could feel that in real time. Um,

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01:44:01.220 --> 01:44:07.540

Rim Cothren: I've been in California for a while, and I am still very disturbed when the ground moves it's just not right

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01:44:07.780 --> 01:44:27.269

Rim Cothren: Um! Before we get into this um Courtney and the rest of the group, I'd like to look for a little bit of guidance. We had allotted about an hour to discuss two relatively big topics here, and we've had a really good discussion on draft language, but we certainly don't have an hour for these two topics. Now

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01:44:27.280 --> 01:44:38.860

Rim Cothren: we could perhaps take one of them on, and i'd ask Courtney for your guidance or the rest of the committee, whether we talk about uh technical requirements, or whether we talk about real time

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01:44:38.870 --> 01:44:51.980

Rim Cothren: or I could try to give an overview without much comment here, and we pick up comment at some other time in the future, or via some other Forum Courtney or the rest of the group. Do you have um

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01:44:52.630 --> 01:44:55.999

Rim Cothren: uh thoughts about how we should proceed.

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01:44:56.920 --> 01:44:59.380

Courtney Hansen: You have enough time to get through Technical?

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01:45:02.250 --> 01:45:06.270

Rim Cothren: Uh, perhaps I don't know. It depends on how much people have comments.

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01:45:07.360 --> 01:45:12.659

Rim Cothren: Okay, Well, let's go on to the next slide. Then. Um!

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01:45:12.670 --> 01:45:31.279

Rim Cothren: There are two sections that we'd planned on talking about today. Um! I doubt that we'll get to real time. Um! But I would uh encourage people to kind of think about uh A. B. One hundred and thirty- s require um suggestion that we'd be I guess requirement that uh data be um

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01:45:31.290 --> 01:45:51.000

Rim Cothren: accessible or exchanged in real time. And what we need to do about that. Uh, we'll talk about a transaction patterns which we began to talk about that discussion in our last Dsa meeting, and today mostly on technical requirements. But we'll revisit some of the transaction patterns as well. Let's go on to the next slide, please.

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01:45:51.240 --> 01:46:08.220

Courtney Hansen: And just to add in any thoughts uh folks have on real time. I think that this is a major discussion that we need to work through. Um, but feel free to start sending us your comments. Um, send me emailing them to the groups that way we can start thinking about it.

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01:46:10.280 --> 01:46:12.850

Rim Cothren: Thank you. So the

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01:46:12.860 --> 01:46:38.759

Rim Cothren: uh purpose of this policy and procedure is to identify and advance common specifications that can be leveraged by participants to provide access to in exchange of electronic health and social services, information and people. Um, I would remind people that there is a current policy and procedure on data elements to be exchanged which identifies specifications for minimum data content.

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01:46:38.840 --> 01:46:48.320

Rim Cothren: And what we'll be concentrating on today is a separate policy and procedure for common technical specifications for exchange. Um

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01:46:48.330 --> 01:47:06.560

Rim Cothren: uh! There are a few definitions that i'd like to remind people of. Uh. Helen is already uh talked some about the definition for health and social services information that is encompassed within um the requirements for exchange. And so I won't. Read that to folks

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01:47:06.570 --> 01:47:20.549

Rim Cothren: specifications is also defined in the Dsa and includes both the minimum data content required for data exchange and the technical and uh security requirements.

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01:47:20.560 --> 01:47:31.659

Rim Cothren: The data content was covered in the data elements to be exchanged, and the second part of that specifications. The technical and security requirements are what we're talking about today.

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01:47:31.990 --> 01:47:47.879

Rim Cothren: The third thing that i'd like to remind people of is in the data elements to be exchanged. We defined the term national and federally adopted standards, and

said that we would adopt nationally and federally adopted standards for data elements to be exchanged,

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01:47:47.890 --> 01:47:59.110

Rim Cothren: and you'll hear me reference those a lot today as well. The definition in that Pnp. Was to point to the Us. Department of Health and Human Services. Um.

771

01:47:59.270 --> 01:48:20.090

Rim Cothren: Publication of the Standards version adopt uh advancement process, and what we uh agreed in the data elements to be exchanged P. And P. Is that we would adopt standards that uh, we're found in that publication. And um we're proposing that we do the same here as well.

772

01:48:20.830 --> 01:48:37.309

Rim Cothren: Let's go on to the next slide, please. And if people are interested in uh those standards, if you take a look within the data elements to be exchanged. You'll find a reference for it. Um o, and see also talks about it a great deal in there in their newsletters.

773

01:48:37.320 --> 01:49:01.290

Rim Cothren: Uh we took a general approach that um to establishing the uh potential requirements here that i'd like to run through just very quickly, and it's how we internally um made decisions about uh what we'd like to propose moving forward. Um! These came from a lot of individual discussions, and um

774

01:49:01.300 --> 01:49:16.720

Rim Cothren: I i'd like to think is getting towards consensus. But um! I think that this, that there are some critical thoughts here that i'd like to make sure that people understand our thinking and have an opportunity to comment on,

775

01:49:16.730 --> 01:49:31.859

Rim Cothren: first, that we would advance transaction patterns in alignment with Federal regulation and national initiative, so that we are looking at the national initiatives to identify the types of exchange that we should be doing here and aligning with them as best we can,

776

01:49:31.870 --> 01:49:45.090

Rim Cothren: that we would um specify national and federally adopted standards for use. Again, going back to our definition of national and federally adopted standards to be those in the advancement process

777

01:49:45.140 --> 01:49:55.520

Rim Cothren: that we would leverage standards and capabilities, of national initiatives qualified H. los and nationwide networks. And this is really going to the fact that

778

01:49:56.020 --> 01:50:04.059

Rim Cothren: while A. B one hundred and thirty-three doesn't require participants to uh adopt any particular technology

779

01:50:04.070 --> 01:50:16.139

Rim Cothren: or use any particular service to exchange data that what we anticipate is the majority of participants. We use A. Q. H. lo, or we'll use an hio that may be A. Q. H. lo,

780

01:50:16.260 --> 01:50:18.679

Rim Cothren: or we'll use a national network

781

01:50:18.690 --> 01:50:38.519

Rim Cothren: for most, if not all, of their obligations uh under uh A. B. One hundred and thirty-three um. You organizations are still free to use their own technology and point to point connections, but the majority of them will be using Qh. los, or national networks, and therefore we should leverage

782

01:50:38.530 --> 01:50:43.280

Rim Cothren: uh the capabilities and standards of those uh organizations.

783

01:50:43.490 --> 01:50:44.660

Rim Cothren: Um.

784

01:50:44.970 --> 01:51:04.789

Rim Cothren: First, we would share information and forms participants. So that means sending information if required. Uh, if uh services have been requested um an example of this think about if you've asked for X-rays on a patient. You should expect to receive the radiology report sent back to you,

785

01:51:04.800 --> 01:51:18.179

Rim Cothren: or notifications of a health event on a patient member client. An example here to think about is, if I show up in the emergency department, my Pcp. May want to be informed of that event.

786

01:51:18.190 --> 01:51:36.110

Rim Cothren: We should. We should avoid sending information that's not been requested. So that means that the event of me showing up in the emergency part department might not include a full transition of care or care summary along with it, but just a notification of the the event,

787

01:51:36.120 --> 01:51:42.660

Rim Cothren: and that my Pcp. Can obtain that additional information if if they want to.

788

01:51:42.770 --> 01:51:53.179

Rim Cothren: Um, and that organization should do request information from the participants, they are likely to have that information and avoid broadcast whenever they could.

789

01:51:53.190 --> 01:52:03.260

Rim Cothren: So if uh, I have been forwarded um to a referral uh of an uh, a specialist.

790

01:52:03.270 --> 01:52:25.470

Rim Cothren: Um! It would be most appropriate to ask my primary care physician for information about me rather than broadcasting potentially across the entire state or the entire country. That does not mean that broadcasts aren't acceptable, but they should be used sparingly, perhaps, uh really focused around uh emergency use cases.

791

01:52:25.480 --> 01:52:26.570

Rim Cothren: Let me

792

01:52:26.650 --> 01:52:34.510

Rim Cothren: pause there for a minute and see if there are any thoughts about that general approach to the technical requirements.

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01:52:41.700 --> 01:52:43.649

Rim Cothren: Yeah, Mark, I see your hand up.

794

01:52:44.730 --> 01:52:50.570

Mark Savage: Thanks. I appreciate the um assumption you articulated about.

795

01:52:50.750 --> 01:53:01.549

Mark Savage: But I wonder now, since we are dealing with both clinical, but also social services information, if that's an assumption that will apply to some sectors, but will not

796

01:53:01.640 --> 01:53:07.669

Mark Savage: applied as an assumption to others and thinking of social service organizations. For example,

797

01:53:09.200 --> 01:53:22.320

Rim Cothren: I think that's an excellent uh an excellent point. Um. One of the things that we've talked about internally is that there may be cases where what we think of as a community information exchange

798

01:53:22.330 --> 01:53:36.029

Rim Cothren: might actually form the same um intermediary service as an hio, or perhaps even be qualified as one, and therefore be a qualified hio. Um,

799

01:53:36.150 --> 01:53:46.370

Rim Cothren: I think I think that there's that's an excellent point, and maybe we should add cis, or other types of uh intermediaries to that list,

800

01:53:48.000 --> 01:53:51.989

Rim Cothren: but also draw people's attention to uh

801

01:53:52.000 --> 01:54:12.269

Rim Cothren: matt's uh comment in the chat about having notifications in a number of different uh mechanisms. I think that's an important comment. Um, there are a particular. There are a large number. Particular ways that notifications can be transported and notifications is an important part

802

01:54:12.280 --> 01:54:20.389

Rim Cothren: of uh. The technical requirements is a place where we're going to have to. We're going to have to wrestle with requirements a bit.

803

01:54:22.950 --> 01:54:27.189

Rim Cothren: See no other hands up. Let's go on to the next slide, please.

804

01:54:27.940 --> 01:54:47.459

Rim Cothren: Um! So let's talk uh we'll start first with technical. Excuse me with a quick description of um the uh transaction patterns. We visited these last week at last meeting, and I don't want to go into detail here. I think we can talk about these in the Uh. The following slides.

805

01:54:47.470 --> 01:55:07.140

Rim Cothren: But again, a targeted information delivery, a push of uh health or social services. Information is a required tefca transport uh transaction pattern, and it is supported that may not be widely implemented by nationwide uh networks and H. los

806

01:55:07.170 --> 01:55:19.350

Rim Cothren: uh request for notifications is a required uh pattern under Cms's interoperability and patient access, Final rule for hospitals,

807

01:55:19.360 --> 01:55:46.079

Rim Cothren: and it is supported by many H. los, but not currently widely supported on nationwide networks. Uh, as Matt points out, direct trust might be an example of a nationwide network that does support notifications. Um, whereas e health, exchange, care, quality um and tefka. That may be a developing pattern there, but is not widely supported or adopted. Yet today,

808

01:55:46.090 --> 01:56:00.809

Rim Cothren: uh targeted requests for information. It's another required tefca transaction pattern. It's supported and widely implemented by nationwide networks and H. los as our broadcast request for information.

809

01:56:02.110 --> 01:56:03.139

Rim Cothren: Um,

810

01:56:03.840 --> 01:56:28.819

Rim Cothren: I will point people just real quickly to the notes here on nationwide networks. You can describe this in many different ways. Um, but I would encourage people to at least be thinking about e health, exchange, care, quality, commonwealth,

alliance, perhaps that direct Trust and Tefka as potential mechanisms. Whenever we use the term nationwide network, that that might be what we're talking about.

811

01:56:31.860 --> 01:56:34.269

Let's go on to the next slide,

812

01:56:34.850 --> 01:56:45.619

Rim Cothren: and I do want to go through this relatively quickly. But Don't let me get ahead of people. If people have comments or questions. Please raise your hand or interrupt me. Um!

813

01:56:45.720 --> 01:56:50.570

Rim Cothren: If we first talk about targeted information delivery.

814

01:56:50.580 --> 01:57:10.029

Rim Cothren: Um. Our suggestion here, our proposal for for your consideration is that any participant may choose to send information. Um participants using nationwide networks or point to point connections, including Qh. los that are exchanging information with each other

815

01:57:10.040 --> 01:57:25.450

Rim Cothren: must use a particular standard supported by I she. Um! That is the basis for uh care, quality, e health exchange and tefka's uh exchange uh full of documents.

816

01:57:25.460 --> 01:57:37.859

Rim Cothren: Um. The participants that create information as a result of an order are strongly encouraged to send information via this transaction pattern, and the sending participant

817

01:57:38.000 --> 01:57:54.140

Rim Cothren: uh must ensure that the recipient is authorized to receive the information sent in the case of an order or request for services uh that may be sufficient in ensuring that that, uh, the questions that I have for people here

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01:57:54.150 --> 01:57:59.979

Rim Cothren: is, should participants that create information be required

819

01:58:00.080 --> 01:58:01.419

Rim Cothren: to send it,

820

01:58:01.460 --> 01:58:21.409

Rim Cothren: or strongly encouraged to send it; and should we consider um saying something about fire, which also has push transactions or reserve that for a future Pnp and stop with it. Profiles they're widely adopted today.

821

01:58:22.170 --> 01:58:24.449

Rim Cothren: Are there thoughts about either of those,

822

01:58:30.680 --> 01:58:32.440

Rim Cothren: Leo? I see your hand up.

823

01:58:33.120 --> 01:58:37.900

Leo Pak: Yeah, thanks for um. I I think if we don't include fire

824

01:58:38.190 --> 01:58:54.780

Leo Pak: for those who are going to fire are going to have to build technology retrospectively back into fire or into the lh profile. So I I think, allowing for both will allow technology to move forward without barriers

825

01:58:57.480 --> 01:58:58.840

Leo Pak: if that makes sense.

826

01:59:00.220 --> 01:59:04.100

Rim Cothren: Thank you. Uh, Diana. I see your hand up as Well,

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01:59:07.240 --> 01:59:17.020

Diana Kaempfer-Tong: yeah, I just want to when drafting um put out that consideration for definition of requested service delivery. Um should be made clear, because

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01:59:17.040 --> 01:59:27.260

Diana Kaempfer-Tong: you know, there there I could see a situation where an Uh Lh: You know a local health jurisdiction requests uh services or assistance from

829

01:59:27.550 --> 01:59:35.840

Diana Kaempfer-Tong: one of our programs in the department, and if the intent or not is that we would be required to share this information. So

830

01:59:36.140 --> 01:59:40.430

Diana Kaempfer-Tong: I want to put that out there as a consideration

831

01:59:41.460 --> 01:59:43.330

Rim Cothren: mark. I see your hand up

832

01:59:44.010 --> 01:59:52.589

Mark Savage: just when I agree with Leo's point. We did. Um. I think systems um across California are already looking at fire. Apis,

833

01:59:52.930 --> 01:59:57.999

Mark Savage: as a way to exchange one of one right exchange, and we should be including it. Now. Thanks,

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01:59:58.390 --> 01:59:59.650

Rim Cothren: thanks, Mark.

835

02:00:00.140 --> 02:00:14.309

Rim Cothren: I will publicly apologize for my language. It's usually Steven. That's reminding me to care quality as a framework and not a network. This time it was Matt. Um, Thank you for for that reminder. Um.

836

02:00:14.400 --> 02:00:33.339

Rim Cothren: But um! When we talk about nationwide networks and frameworks, um care, quality still might be uh one of the participants there. There's also some additional comment in the chat on fire that I would encourage people to take a look at Leo. I see your hand up again. Thanks.

837

02:00:33.530 --> 02:00:39.160

Leo Pak: Yeah, i'm trying to understand on. Hold it. Number three strongly encouraged.

838

02:00:39.350 --> 02:00:46.950

Leo Pak: Um. Am I understanding that if someone um subscribes to getting event, notifications

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02:00:47.140 --> 02:01:00.529

Leo Pak: that strongly encouraged means that they don't actually have to is that event. Notifications are in the next slide. This is a suggestion that if I am a radiology clinic

840

02:01:00.570 --> 02:01:02.760

Rim Cothren: that I am,

841

02:01:02.880 --> 02:01:20.869

Rim Cothren: um strongly discouraged by sending my results by some other method. Um. A facts, for example. Um, Or should I be required to use the standard and send that electronically? That's the question should participants be required to support this transaction?

842

02:01:25.930 --> 02:01:38.949

Leo Pak: Thank you. I I think if the expectation is that, what if your lab vendor is, somebody has contracted with you to get that data back. There has to be an electronic format available,

843

02:01:39.350 --> 02:01:48.020

Leo Pak: And if we're going to use an electronic format again, lh, I think is one, but I think fire should be part of that.

844

02:01:51.190 --> 02:02:08.899

Rim Cothren: Let's move on to the next slide. I want to talk. Um. I I think that we could probably talk for a half an hour about notifications. Um! And this uh today, I think we can probably only touch on this as the beginning. Um! I also want to acknowledge that

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02:02:08.910 --> 02:02:22.400

Rim Cothren: a number of people, both on this call and uh, separately, have commented on notifications, and so I would encourage them to to uh chime in here as well.

846

02:02:22.410 --> 02:02:52.169

Rim Cothren: Uh, when we're talking about notifications, we're really trying to explain um the process of letting uh participants on the uh data, exchange framework, know

that a health event has taken place, and that they that additional information about that event may be available, that they could request through a query Um! And what we're suggesting here is that a care, acute care hospitals must respond to requests for notifications, for admission, transfer and discharge events.

847

02:02:52.180 --> 02:03:21.979

Rim Cothren: This aligns with a requirement already. Uh in the Cms rule um, and that Qh. ios that receive notifications must exchange those notifications with other Qhos. So they're distributed across the State, bearing in mind that Qh. ios may not be authorized to retain that information unless they have some demonstrable patient uh relationship. Uh, that is, that that patient is already cared for within one of their

848

02:03:21.990 --> 02:03:31.989

Rim Cothren: participants, or there's been a request for a notification of events from one of their participants. Um! We're suggesting that um

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02:03:32.000 --> 02:03:51.209

Rim Cothren: uh the standard here be at it. Messages. I want to again point to uh Matt's comment in the chat that there are other mess uh uh other uh standards that might be included here as well, and invite comments about whether we should include additional um um

850

02:03:51.250 --> 02:03:57.969

Rim Cothren: ways for hospitals and Qh: ios to move um notifications.

851

02:03:57.980 --> 02:04:23.519

Rim Cothren: Uh importantly. Here any participant must may request notifications through submitting a roster of patients or members or clients for whom they want wish to receive them. So you can imagine that this might be the patience attributed uh, or excuse me. Um associated with uh my responsibility to care for them. It might be a high risk set of patients for which I want to know um

852

02:04:24.120 --> 02:04:28.389

Rim Cothren: uh of important events, so that I can follow up

853

02:04:28.760 --> 02:04:29.790

Rim Cothren: um.

854

02:04:29.800 --> 02:04:58.989

Rim Cothren: And then we're suggesting here that Qh. los might offer any method to deliver notifications beyond adts, and that might be where uh a participant would come as to a Qh. lo. To get notifications, if at T's was not the method that they wish to receive them. Um, but through some other uh process. Um The questions that i'm interested in here is Is there some a different role or expanded role that?

855

02:04:59.000 --> 02:05:18.389

Rim Cothren: Qh: los um should play here and uh, should we uh list specific delivery standards or content. Um, for uh notifications beyond just specify, Find an adt. Those that are familiar with that standard know that there are lots. There's

856

02:05:18.400 --> 02:05:26.270

Rim Cothren: a web of information that might be included in an adt, but also a valid Id team might be missing.

857

02:05:30.060 --> 02:05:45.749

Rim Cothren: Uh, I do want to point to Stevens note here in the chat uh the real value of notifications is, they give the recipient an opportunity to respond to a request for additional information, and I want to emphasize that, Leo. I see your hand up,

858

02:05:45.980 --> 02:05:53.010

Leo Pak: I I think, for number three, adding fire as an alternative, is also a good idea.

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02:05:53.800 --> 02:06:01.750

Leo Pak: Um! One of the note is, there's a nuance that I think needs to be called out. One is that a

860

02:06:01.980 --> 02:06:19.099

Leo Pak: Some participants view an hio as an extension of their technology to support these type of things where they're sending all notifications to an Hiv. And then the responsibility. H les make sure that delivers to the right participant via roster

861

02:06:19.390 --> 02:06:36.479

Leo Pak: versus some other organizations. See a hio as an endpoint, and if they see it as an endpoint, then they wouldn't be sending any notifications to an Hiv, simply because there's no roster that's been received. So those are some nuances depending on how you read that can

862

02:06:36.680 --> 02:06:38.320

Leo Pak: uh some issues.

863

02:06:39.250 --> 02:06:40.469

Rim Cothren: Thanks, Leo.

864

02:06:42.660 --> 02:06:44.420

Rim Cothren: Other comments,

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02:06:45.030 --> 02:06:46.070

Rim Cothren: thoughts.

866

02:06:52.210 --> 02:07:05.970

Rim Cothren: Okay, great. I'm gonna just let's go on to the next slide, and this one touches on both uh targeted requests and broadcast requests. Since we do need to go to public comment in about three minutes.

867

02:07:05.980 --> 02:07:21.420

Rim Cothren: I'm going to pause here for a bit, and just allow people to read through this. This is a very well understood uh transaction pattern common uh among a lot of the participants today. Um and um.

868

02:07:24.120 --> 02:07:28.800

Rim Cothren: People are encouraged to either drop thoughts in the chat

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02:07:29.900 --> 02:07:32.139

Rim Cothren: us through email. I bet

870

02:07:32.430 --> 02:07:33.280

Rim Cothren: of that

871

02:07:33.500 --> 02:07:52.850

Rim Cothren: query. The one thing a anything that we can do to encourage notifications to be followed up with queries as opposed to queries for common uh requests for information might be uh to our advantage

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02:07:59.400 --> 02:08:09.779

Rim Cothren: what we'll see I believe in our next Dsa. Um and Pmp. A subcommittee meeting is. We'll have draft language for this um

873

02:08:10.830 --> 02:08:19.370

Rim Cothren: uh that we can that we'll talk about in more detail by Helen did uh uh today for the other P. Andps.

874

02:08:20.580 --> 02:08:30.979

Rim Cothren: I feel like I really rushed through this, and I think this is an an important topic. So again. I would encourage people to respond uh back. Um! If they have any other thoughts,

875

02:08:31.620 --> 02:08:34.110

Rim Cothren: let's go on to the next slide. Then

876

02:08:35.980 --> 02:08:48.580

Rim Cothren: I would like to encourage people to read through the slides here and begin thinking about real time data exchange. We'll cover this in a a future meeting, as we really don't have time to talk about it at all today, but we

877

02:08:48.590 --> 02:08:56.700

Rim Cothren: um we will need to come back to this one and let's move on to the slide. Um

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02:08:58.780 --> 02:09:05.200

Rim Cothren: uh Courtney. I think we need to touch on updating the Dsa, which I think is slide number forty-eight,

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02:09:07.830 --> 02:09:08.960

Courtney Hansen: Sure,

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02:09:09.120 --> 02:09:16.489

Courtney Hansen: and I unfortunately will be very quick on this. Um, because we do need to make time for public comment.

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02:09:17.030 --> 02:09:23.559

Courtney Hansen: Um, but Kelly, to just is making a necessary change to the Dxf data sharing agreement.

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02:09:24.420 --> 02:09:36.239

Courtney Hansen: We recognize that the Dsa is an agreement between the entities, and that will uh require it. The exchange of data in accordance with the agreement and the pnps,

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02:09:36.910 --> 02:09:43.000

Courtney Hansen: and as such the Dsa will be revised to remove Calijs as a signatory,

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02:09:43.180 --> 02:09:47.950

Courtney Hansen: because Cal Hhs will not be in itself the agency providing data

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02:09:48.510 --> 02:09:51.450

Courtney Hansen: the specific change is shown on the slide in red.

886

02:09:52.060 --> 02:10:01.020

Courtney Hansen: So please note that Kelly, Jr's departments may still sign the Dsa and exchange data with other public and private participants in accordance with the agreement,

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02:10:01.480 --> 02:10:11.869

Courtney Hansen: and I want to emphasize that this does not change or diminish Kelly Js's role, or in responsibility to oversee the Dxf and ensure successful implementation,

888

02:10:13.220 --> 02:10:23.900

Courtney Hansen: An updated uh Dsa will be made it available and posted to the Dxf website after the November third meeting with the uh, I I,

889

02:10:26.270 --> 02:10:30.260

Courtney Hansen: and with that, if there's any quick questions,

890

02:10:32.440 --> 02:10:34.110

Courtney Hansen: not seeing any.

891

02:10:34.150 --> 02:10:37.430

Courtney Hansen: Uh let's turn it over to public comment.

892

02:10:49.630 --> 02:10:54.419

Emma P - Manatt Events: I don't see any hands raised at this time, but we can give it a few moments.

893

02:10:55.090 --> 02:11:04.289

Courtney Hansen: So please raise your hand using the zoom teleconferencing options, as we previously discussed, and you will be called on in the order uh your hand was raised.

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02:11:04.370 --> 02:11:12.760

Courtney Hansen: If you do have a comment, please state your name and organization affiliation. Please keep comments brief and respect respectful.

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02:11:12.810 --> 02:11:13.780

Courtney Hansen: Thank you,

896

02:11:27.240 --> 02:11:30.210

Emma P - Manatt Events: L. Johns. You should be able to unmute.

897

02:11:32.650 --> 02:11:50.459

L. Johns: Hi, everybody! This is Lucy Johns. I really appreciate all the work that Rim put into his slides, which I did not have the opportunity to review before this meeting. And so there's a lot of comments I would like to make on them, which I will do

898

02:11:50.470 --> 02:12:02.000

L. Johns: eventually. But I did want to call attention to one of the bullets. Rem which talked about must use Xdr.

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02:12:02.410 --> 02:12:07.280

L. Johns: Um. I really would hope that you would rethink that

900

02:12:07.330 --> 02:12:11.559

L. Johns: uh the direct network does not use Xdr,

901

02:12:11.630 --> 02:12:16.919

L. Johns: and some people would call Xdr almost a legacy

902

02:12:17.050 --> 02:12:18.400

L. Johns: protocol.

903

02:12:18.680 --> 02:12:19.950

L. Johns: So

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02:12:21.100 --> 02:12:24.759

L. Johns: I don't remember the exact wording of that bullet.

905

02:12:24.780 --> 02:12:36.210

L. Johns: But maybe it should be more permissive rather than obligatory, and or talk about other things that must be used.

906

02:12:36.440 --> 02:12:44.390

L. Johns: I would also comment. I listen very carefully to the first hour hour and a half.

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02:12:45.400 --> 02:12:46.599

L. Johns: Um

908

02:12:47.580 --> 02:12:51.129

L. Johns: and I have a lot of comments as a consumer

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02:12:51.390 --> 02:13:00.020

L. Johns: about obligations of participants to do this or that with respect to protecting the consumer,

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02:13:00.190 --> 02:13:05.689

L. Johns: getting consent from the consumer, and so forth; and

911

02:13:05.710 --> 02:13:16.599

L. Johns: I sort of wish that there were more consumer comments within this group. I really appreciate the gentleman from the electronic frontier foundation

912

02:13:16.620 --> 02:13:19.419

L. Johns: who often voices

913

02:13:19.840 --> 02:13:23.290

L. Johns: questions and thoughts that I had.

914

02:13:23.440 --> 02:13:24.510

L. Johns: But

915

02:13:24.680 --> 02:13:25.889

L. Johns: um!

916

02:13:26.110 --> 02:13:28.180

L. Johns: You're not really getting

917

02:13:28.600 --> 02:13:34.330

L. Johns: from my point of view the consumer point of view in these discussions,

918

02:13:34.550 --> 02:13:35.750

L. Johns: so

919

02:13:35.770 --> 02:13:42.309

L. Johns: I will do my best to respond, and I hope that you will seek

920

02:13:42.670 --> 02:13:50.120

L. Johns: more information and responses from consumers as you move through your process. Thank you.

921

02:13:52.120 --> 02:13:53.769

Courtney Hansen: Thank you so much

922

02:13:54.180 --> 02:13:56.500

Courtney Hansen: am I. Do we have any additional comments.

923

02:13:58.110 --> 02:14:01.000

Emma P - Manatt Events: We do not have any other hands raised at this time.

924

02:14:04.090 --> 02:14:05.919

Courtney Hansen: Let's give it one more minute,

925

02:14:07.590 --> 02:14:12.809

Courtney Hansen: folks. If you have any additional comments, this is your time to do it. Thank you.

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02:14:13.220 --> 02:14:16.860

Courtney Hansen: We also are happy to accept any emails.

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02:14:17.350 --> 02:14:20.280

Courtney Hansen: Um. And other public comments that you may have

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02:14:27.240 --> 02:14:29.209

Emma P - Manatt Events: no hands raised.

929

02:14:37.730 --> 02:14:39.039

Courtney Hansen: I'm: Okay.

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02:14:40.710 --> 02:14:41.700

Courtney Hansen: Now,

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02:14:41.920 --> 02:14:46.029

Courtney Hansen: if there are no additional public comments, we can

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02:14:46.300 --> 02:14:49.759

Courtney Hansen: move on to uh next steps.

933

02:14:50.060 --> 02:14:51.099

Courtney Hansen: Um,

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02:14:51.560 --> 02:14:52.940

Courtney Hansen: and

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02:14:53.280 --> 02:14:58.619

Courtney Hansen: less Rem. Did you want to do any additional wrap up. I know we cut off your conversation pretty quickly.

936

02:15:02.040 --> 02:15:13.170

Rim Cothren: I I we can't give um a whole lot of time to anything here. I'd suggest that we just ask people to send their comments on and move forward. Thanks.

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02:15:14.880 --> 02:15:16.230

Courtney Hansen: Absolutely.

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02:15:16.840 --> 02:15:17.840

Courtney Hansen: Uh,

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02:15:18.390 --> 02:15:26.130

Courtney Hansen: and slides will be posted later this week, and we are going to target posting slides in advance of meeting gates.

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02:15:27.170 --> 02:15:28.050

Courtney Hansen: So

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02:15:28.240 --> 02:15:30.540

Courtney Hansen: as for next steps

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02:15:34.480 --> 02:15:50.900

Courtney Hansen: from here, we will share summary notes from today's meeting. Consider feedback from the subcommittee members, as well as public comment on the development of the Dsa. P. Andps, as well as draft language for pnps uh that are prioritized for development.

943

02:15:51.380 --> 02:16:03.570

Courtney Hansen: As always. I encourage you to stay in touch and send me any additional feedback on topics covered during today's meetings, especially ones that we didn't have quite enough time to fully uh flesh out.

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02:16:06.300 --> 02:16:12.769

Courtney Hansen: Our next meeting will be held virtually on December fifteenth, from nine Am. To eleven thirty Am.

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02:16:13.060 --> 02:16:18.140

Courtney Hansen: The slide show confirmed. It shows confirmed meeting dates through March.

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02:16:19.190 --> 02:16:26.729

Courtney Hansen: Thank you again, and I look forward to working together to implement the dxf and improve the health and well-being of Californians.

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02:16:26.780 --> 02:16:31.729

Courtney Hansen: Um. I encourage everyone to join us at the next. I see meeting next week as well,

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02:16:33.129 --> 02:16:50.460

Rim Cothren: Courtney, if I might have just one quick go back um. One of the things that we'd meant to announce today is that we are working on a solution to allow organizations to sign the Dsa. There is a slide in the deck That talks to that.

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02:16:50.510 --> 02:17:09.409

Rim Cothren: Our expectation is that um, it will be available for signatories in November. Um. Providing people an opportunity. Um! We envision something that is a self serve uh web application for people to go sign up and queue up

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02:17:09.420 --> 02:17:17.460

Rim Cothren: um An electronic signature on the Dsa. As we already mentioned at today's meeting

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02:17:17.469 --> 02:17:29.800

Rim Cothren: the Dsa Um. We'll go through one quick revision that Courtney talked about, but otherwise it's not a negotiable document, and is finalized, and therefore we would recommend

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02:17:29.809 --> 02:17:47.369

Rim Cothren: to organizations that are required to sign uh the Dsa by January thirty-first two thousand and twenty-three review the dsa and the current policies and procedures now, so that they're prepared to execute at the Dsa by the deadline

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02:17:47.379 --> 02:18:00.699

Rim Cothren: um The um web-based application will also accept voluntary signatories to the Dsa for those organizations that are not mandated to sign it, but wish to sign it as well.

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02:18:00.709 --> 02:18:11.189

Rim Cothren: Um! When that becomes available you'll get more information on how to use the application and how to find it. But uh, that information will appear on our website.

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02:18:13.120 --> 02:18:14.489

Rim Cothren: Thank you, Courtney.

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02:18:16.480 --> 02:18:17.760

Courtney Hansen: Thanks. From

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02:18:18.139 --> 02:18:20.879

Courtney Hansen: alright. I will see you all next month.

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02:18:20.969 --> 02:18:23.800

Courtney Hansen: Take care, please keep in touch and

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02:18:23.920 --> 02:18:25.829

Courtney Hansen: keep providing wonderful. Input

960

02:18:25.980 --> 02:18:27.020

Courtney Hansen: Thank you.

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02:18:33.260 --> 02:18:35.809

Mario S - Manatt Events: Thank you for joining. You may now disconnect.