

Meeting Minutes
DATA GOVERNANCE COUNCIL (DGC)
of the Green Mountain Care Board
June 14, 2016
2nd Floor Board Room
89 Main Street, City Center
Montpelier, Vermont 05620
2:00 PM

Present (Voting Members)

Susan Barrett, Executive Director
Mike Davis, Director of Health Systems Finances
Ena Backus, Deputy Executive Director
Betty Rambur, Board Member

Non-Present (Voting Members)

Allan Ramsay, Board Member

Present (Non-Voting Members)

Roger Tubby, Director of Data & Analytics
Brian Martin, Associate General Counsel
Zach Sullivan, Health Policy Analyst

Others Present

Steve Kappel, Policy Integrity
Patrick Quinn, Onpoint Health Data
Kaili Kuiper, VLA/HCA
Liz Winterbauer, VPQHC
Casey Cleary, DII/Info Architect
Sean Judge, VAHHS/NSO
Annie Paumgarten, Director of Evaluation
Tom Crompton, Program Management Specialist
Jaime Fisher, Executive Assistant to the Chair
Laura Doe, Administrative Assistant

1) Call to Order and Approval of Minutes

Susan Barrett (DGC Chair) called the meeting to order at 2:05pm.

May 11, 2016 Minutes

Member	Motion	Second	Vote
Susan Barrett			Y
Allan Ramsay			Not present for vote
Mike Davis			Y
Ena Backus		X	Y
Betty Rambur	X		Y

2) Chair's Report

Susan Barrett, DGC Chair, announced that the VHCURES team will review the Public Use File (PUF) request for proposal with the Green Mountain Care Board (GMCB) who will then vote to release (or not release) a PUF RFP.

3) Presentation on Data Governance in VT

Casey Cleary (DII/Enterprise Architecture) is working on implementing a data governance system for Vermont state government and public interest partners. He is examining data inventory for various Vermont organizations to see how formal or mature the data is. Building Bright Futures, which is a non-profit organization that works on early childhood development opportunities, has spent a year organizing a data governance system called Vermont Insights. It has various in-state and out-of-state agencies all working together in a federated or integrated data model. Information is pulled from various organizations such as the Children's Integrated Services, Parent Child Center, and Child Welfare, and fed into a web-based system. Cleary feels that one should also look into governance for administration, operations, legal, and applications.

The Council inquired on what "federated" shared data is. It is the description of the information that allows one to do a quicker "federated" search. To the user it would seem like integrated information.

The overall goal is to have a statewide governance system in place. It is important to acknowledge policies and procedures on the handling of data and what tools are in place to help share or protect data. Cleary suggested 5 policies, procedures and guidelines that are standardized enough to filter through department programs and projects with respect to each department's uniqueness to data. Strategic members would be placed on the state Council to review statewide issues and concerns. Tactical members would be divided into the Data Steward, the responsive authoritative attacker, and the Data Specialist, who is critical for data management. Each agency would also have their own data governance council since some data may be unique to its own agency. Both strategic and tactical members would be assigned to the agency data governance council. On a department or program level, there would also be a data governance council. This council would have a more specific repository on policies, standards, and guidelines with the agency council being less specific and the statewide council being very broad.

Cleary identified a statewide lack of information management and data quality. Contracts need to be formulated and vendors need to be held to these contracts. This will help give better ability to measure performance and success. Cleary urges data management be administered with greater specificity, so that data use will result in more accurate proposals and more efficient vendor management.

The Council inquired how the HIT plan fits into this statewide data governance plan since the HIT plan is a topic that the GMCB is still reviewing. DII does not fund this project. Cleary emphasizes that he is describing an oversight role. In order to get funding for this statewide data governance initiative, that funding must be combined with existing funded programs and projects. The proposed HIT plan proposes to have a data governance structure in place by 2017. Any project that falls outside of the HIT plan budget (over \$500,000.00) will come under DII/Project Management/Enterprise Architecture Oversight.

To achieve results and secure sponsorship, Cleary said the state will need either a critical mass that supports the project, or he must demonstrate business value and operational effectiveness, efficiency, and user buy in. Cleary wants both private and public entities to engage so they could share practices and solutions.

The public made a comment that other states (such as WA) are integrating health data and other types of data and already using the product. Cleary mentioned that states like CO have created a data governance council on a state level and put into effect a law that regulated information interoperability between all agencies. The public also asked if this data governance plan would be seen as guidance rather than compliance. Cleary replied that it is to be seen as both. There needs to be compliance aspect tied to law for issues such as national or federal privacy. There also needs to be common sense guidelines for best practices.

4) Presentation on Group Membership

Zach Sullivan, GMCB Health Policy Analyst, updated the Council on the impact of the Gobeille v. Liberty Mutual decision. Although self-insured ERISA groups do not have to submit claims data, they can still voluntarily do so. Some groups have stated that they will not submit ERISA plan data unless the employer requests this. Four scenarios were created to give an idea of what could happen with the decrease in claims data. Worst case scenario is VHCURES retains the VT State employee self-insured data and the rest is lost. Middle case scenario is health care affiliated employers such as Dartmouth Hitchcock Medical Center, VT Hospitals, designated agencies and health insurers continue to submit data. Good case scenario is health care and higher-education affiliated employers, and employers insuring more than 1,000 members submit data. Best case scenario is all employers insuring 500 or more members submit data. One suggestion that was brought to Sullivan's attention is looking at the difference between the self-insured population and total population. As the Medicare and Medicaid enrollment increases the commercial enrollment decreases. (see attached memo on the DGC meeting materials)

The Council asked if they could see the potential total impact of the decreasing VHCURES population to date and if they get regular updates from Onpoint on who has decided to no longer submit data. It would be interesting to see if there was any kind of pattern or similarities with groups. Onpoint agreed to create a report that would include the requested information.

5) Presentation of current Data Release Statuses

Roger Tubby, Director of Data & Analytics, has been working on getting the DUA request and affidavit process more formalized. The applicant downloads the data release application, adheres to the Data Governance Charter/policies/procedures, and submits to the DGC staff for review. The DGC staff decides if an application sufficient for processing. This involves several quality control steps of review such as:

- A) Whether the application meets requirements
- B) Is the data request part of an existing agreement and does the agreement cover the data being requested?
- C) Is the applicant a state employee or working under a business associate agreement?

- D) Does the application adhere to the Data Stewardship principles and policies?
- E) Does the application request access to Medicaid or Medicare data?
- F) If the applicant is a State agency and may be treated as “Evergreen” (meaning non-expiring) it is recommended that they be converted to yearly with extensions required.
- G) Have Legal Counsel review for adherence to GMCB rules and regulations.
- H) Post application and supporting documents on the GMCB website for a 10 day public comment period.
- I) Assemble the public comments.
- J) Executive Director and GMCB Board verify if application is in the best interest of the State and meets requirements for release.
- K) Have the DGC Council review.
- L) Present application to DGC Council in an open meeting in which the Council can vote on.
- M) Based on decision of the DGC Council, application may be presented to the GMCB in an open meeting.
- N) Notify data custodian of data release at the beginning date of the DUA.
- O) At the termination date of the DUA, verify that any non-evergreen DUA has been extended or ensure that proper data destruction procedures are followed.

IUAs (Individual User Affidavits) also have procedural steps:

- A) Individual downloads affidavit from web, reviews the data governance charter, policies and procedures, and sends the affidavit with any supporting documents to the DGC for review.
- B) DGC staff determines if affidavit sufficient for processing.
- C) DGC staff determines if affidavit is a modification to a prior affidavit request.
- D) DGC staff determines if affidavit meets requirements for processing.

There were three major changes made to the DUA process before the Moratorium was lifted.

- A) The DUA will reference the CMS DUA if request is for Medicare data.
- B) The affidavit will reference the DUA.
- C) The signer on the affidavit will have read the required material for accessing VHCURES data.

The revised process does not yet include VUHDDS but the DGC staff is close to developing an updated VUHDDS release process. All the data requestors that filed requests during the data release moratorium (which ended in January 2016) will be issued a letter asking to resubmit their application in accordance with the new DUA process. The DGC staff has not yet been able to tailor the types of data from the limited data set and is working to create a web-based interface allowing requestors to specify what types of data they need.

It was suggested by the Council that the Data Protection and Disclosure Guide be updated by the DGC staff and have the DGC staff inform that Council of any revisions. The Council noted that publicly publishing the data request and soliciting public comment—before the Council has reviewed the request—will change past practices. This change may benefit the GMCB since the data request would already have public input. The Council also suggested that the DGC staff regularly update the GMCB on

DUA activity, including updates on approved or rejected DUAs. Those proposed or actual DUAs will be posted to the GMCB website.

6) Public Comment

No public comment.

7) Adjourn

The Council moved to adjourn this meeting.

Member	Motion	Second	Vote
Susan Barrett			Y
Allan Ramsay			Not present for vote
Mike Davis		X	Y
Ena Backus			Y
Betty Rambur	X		Y

8) Adjourn

Meeting adjourned at 3:20pm

*The next DGC meeting is scheduled for July 12, 2016.