State of Vermont

Green Mountain Care Board
Data Governance and Stewardship Charter

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<td>Peter Alfrey</td>
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<td>David Regan</td>
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<td>Stacey Murdock</td>
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<td>Dian Kahn</td>
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1 Background

The Green Mountain Care Board (GMCB) Under 18 V.S.A. Sections 9405, 9410, 9453, and 9454, the Green Mountain Care Board (GMCB) has broad authority and responsibilities to maintain a health care database that includes both hospital- and insurer-reported data submitted in uniform formats and has requirements to analyze health care resources, expenditures and utilization. GMCB is the steward of several data resources for the State of Vermont, including the Vermont Health Care Uniform Reporting and Evaluation System (VHCURES) that includes eligibility and claims data for Vermont residents and the Vermont Uniform Hospital Discharge Data Set (VUHDDS) that includes records for residents and non-residents for inpatient, outpatient, and emergency department discharges from Vermont’s general acute care hospitals. These data resources support a number of State responsibilities and activities in health care regulation, evaluation, and innovation. Vermont law (18 V.S.A. § 9410) also specifies that, to the extent allowed by the Health Insurance Portability and Accountability Act (HIPAA), information from VHCURES is to be made available to a broader public to the extent permissible under federal and state laws addressing protection of personal and economic information.

The GMCB has created a Data Governance Council (hereafter referred to as the Council) that consists of key staff with the authority to make and execute on decisions and assign resources to identified and prioritized work items. This document serves to describe some of the basic approaches that the Council will employ as it supports data governance and stewardship at the GMCB. In implementing data governance, the Council will make use of existing staff that have been performing many of these functions for several years, and who are highly knowledgeable about a broad spectrum of internal resources addressing aspects of data acquisition and management, aspects from data quality and utility, analytics, and related policy considerations. The Council will also leverage and continuously improve existing processes and documentation (e.g., VHCURES data use agreements, policies and procedures, file specifications) in furthering data governance practices at the GMCB. The Council will also leverage the expertise of parties outside the GMCB in collaborative efforts to improve the quality and utility of its data resources, ensure financial sustainability of the data programs, manage risk in data security, and ensure appropriate access to the data to support research of benefit to Vermonters and the broader public.

This charter and the data governance efforts at GMCB will initially focus primarily on the VHCURES data resource. It is expected that in the future, practices similar to those used for governing VHCURES will be applied to additional data resources at the GMCB, including VUHDDS.
2 Purpose

The GMCB is the steward of VHCURES and several other important data resources. In this role, the GMCB is responsible for a broad set of data management concerns. While not intended as an all-encompassing inventory, these concerns can generally be attributed to the following four categories:

- **Data quality and Utility**—Establishing data stewardship practices to monitor the quality and utility of VHCURES and other data resources
- **Risk**—Ensuring Management—Implementing best practices with regards to data protection of privacy and data security
- **Finance and Program Sustainability**—Ensuring the financial sustainability of VHCURES, VUHDDS and other data resources by evaluating expenditures and potential revenue, program expenses, developing new use cases for the data of interest to stakeholders and data users, and identifying and leveraging new sources of revenue
- **Data Release**—Supporting Use and Disclosure—Implementing clear and consistent processes for the evaluation of data evaluating requests and the release of data to users and monitoring authorized data use and disclosure

By implementing data governance, the GMCB intends to address each of these four major areas of data management for VHCURES and other data resources. Additionally, the GMCB intends to work to increase mutual trust both within the agency and across other State Vermont agencies with a stake in GMCB health data resources (e.g., the Vermont Agency of Human Services, the Department of Vermont Health Access), as data submitters and users.

Data governance is also intended to help identify and formalize clear procedures for data resource management. In general, these procedures are based on agency policies, which are in turn based on agency policies that are influenced by state, federal, and state principles. Many industry policies, procedures, and norms. Many documented policies and procedures related to certain aspects of data management already exist at the GMCB and are well documented. Most notably, among these documents are the drafts of the Data Submission Guide and the Health Data Protection and Disclosure Guide. Neither this charter nor any other single document is intended to provide an exhaustive inventory of all the procedures that will be involved in governing the GMCB’s data resources. It is anticipated that as new procedures are developed through the data governance process, modifications to this charter and other existing documentation will be required, and additional documentation may need to be created, because responsive and effective data governance is an agile process.
3 Components of Governance

3.1 Defining Data Governance and Stewardship

Data governance is often an ambiguous topic, and multiple definitions exist of both the term and the concepts that the term represents. The lack of a universal and detailed definition derives in part from the fact that the characteristics of organizations that use data and large-scale data systems show a tremendous amount of variation. Some experts have, however, suggested that data governance at the GMCB is intended to formalize the agency's approach to the implementation of the Board's policies in managing VHCURES and other data resources and will be adjusted as the data program continues to evolve. Some experts suggest the following as a broad definition: "data governance is the organization and implementation of policies, procedures, structures, roles, and responsibilities which outline and enforce rules of engagement, decision rights, and accountabilities for the effective management of information assets." 1

Health data stewardship has been defined as "a responsibility, guided by principles and practices, to ensure the knowledgeable and appropriate use of data derived from individuals' personal health information" pertaining to data collection, viewing, storage, exchange, aggregation, and analysis. 2 Within this framework, central concepts include accountability for assuring appropriate use of health data that respects privacy and confidentiality while supporting "the benefits to society of using individuals' personal health information to improve understanding of health and health care." 3

While these definitions and concepts certainly pertain to the utility of data governance and stewardship at the GMCB, the agency has additional considerations with respect to the protection of personal health and medical information including the management of data use agreements, management of external data consolidation vendors, oversight of data quality checks and improvement; administration of technical specifications and data use agreements; collection and analytics; alignment of analytic efforts with State objectives and policy needs; and increasing the utility of maturing data resources. There are many more additional considerations to be taken into account when adapting the definition of data governance at the GMCB, in a manner that is both responsive and financially sustainable.

At a minimum, data governance at the GMCB is intended to be the organization of the agency's approach to the implementation of the Board's policies in managing VHCURES and other data resources, including vendor management, data quality oversight, data release, and analytic agendas. This definition is provided with the understanding that a formalized approach to data management will be adjusted as the data program continues to evolve.

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2 Ladley, John. Data Governance.
4 Ibid
governance at the GMCB is currently in its early stages, and will need to be adjusted and elaborated as the program matures.

3.2 **3.2 Data Governance and Stewardship Goals**

The goals of data governance for VHCURES and other data resources will include:

- Managing and mitigating Proactive and timely prevention, management and mitigation of data privacy and security risks;
- Monitoring and improving Continuous improvement of the quality and utility of the VHCURES and other GMCB data resources;
- Establishing Effective and efficient data release policies and procedures for State to ensure appropriate and non-State research entities timely data use and disclosure and prevent unauthorized use and disclosure;
- Aligning Improved alignment of data resource management, and analytic agendas, and priorities with policy initiatives at the agency and within State government;
- Improving the Improved financial sustainability of VHCURES and other data resources; and
- Realization of societal benefits through uses of health data that improve the understanding of health and health care.

3.3 **3.3 Expected Results of Data Governance and Stewardship**

Through the work of the Council and the prioritized work items, the following results are expected:

- Continued refinement of existing data release use and disclosure policies and procedures to ensure the safeguarding of protected health information and compliance with federal data security standards;
- Creation of well-defined stewardship roles and responsibilities within the Council and with select members of the GMCB and within GMCB staff members;
- Development and implementation of data governance and stewardship processes including establishment of regular meetings on the Council that adhere to the Vermont Open Meeting Law;
- Establishment of collaborative and transparent processes within interactions between the data consolidation vendor(s) and data users addressing optimization of data quality and utility to support research;
• Consultation and coordination with other state agencies to promote optimization and utility of the GMCB’s data resources to meet diverse analytic researchers needs for the development and evaluation of the State’s policies and programs;
• Establishment of regular meetings of the Council and adherence to Vermont Open Meeting Law
• A documented quality assurance process with the VHCURES vendor(s), including provisions to engage payers in a mutually agreed upon data validation and reconciliation process and methodology; and
• Periodic evaluation of the GMCB’s ability to respond to State and non-State data requests and users’ concerns as part of a continuous improvement effort.

3.4 Implementation of Data Governance and Stewardship

The extent to which organizations may choose to implement data governance and stewardship practices varies widely, with most implementations being non-comprehensive.3 This does not imply that any one organization’s implementation is incomplete or inadequate, and in fact may often be the result of adapting the scale of data governance to true organizational needs.

Many different frameworks for data governance and stewardship are described in relevant literature. At a minimum, a data governance and stewardship framework can be considered to address the definition of roles, responsibilities, and processes of a data governance and stewardship team.4 Very comprehensive frameworks may be considered appropriate for organizations that produce large volumes of complex data, manage and warehouse data internally, conduct analytics and interpretation internally, and modify internal business processes based on analytic results. These comprehensive frameworks may also require substantial resources to implement effectively, and many, Many data-centric organizations have encountered difficulties in achieving effective results from complex data governance and stewardship frameworks. Consequently, many organizations have adopted an agile approach to data governance and stewardship, which borrows the term from agile software development practices that have proliferated since the early 2000s.5

In general, the goal of agile data governance and stewardship is to allow organizations to address data management initiatives in increments that are sized according to the specific organization’s available resources and rate of project execution. This approach helps to ensure that individual and specific governance results are achieved in the short-term, simultaneously contributing to advances in long-term objectives. The GMCB has adopted an agile processes in their approach to data governance, many of which are described further in subsequent sections of this charter.

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Measurement of Successful Data Governance and Stewardship

Measurement of successful data governance and stewardship will be established and reviewed by the Council to ensure there is alignment with data governance principles, policies, and procedures. Factors that may contribute to establishing measurements that describe successful data governance and stewardship may include:

- Realization of data governance results as identified above in section 3.3 of this charter;
- Acceptable timeframes associated with taking moving governance and stewardship initiatives from ‘active’ status to ‘substantially complete’ or ‘suspended’ due to changes in goals, objectives and priorities;
- Quantifiable increases in data quality and data resource utility for internal and external data users;
- Increased availability/investment of organizational resources in conjunction that coincide with gains in efficiency and effectiveness from improved organization of data management policies and procedures; and
- Identification and dissemination of data analyses and reporting that yield societal benefits in improved understanding of health and health care.

The Council will work on an ongoing basis to refine a set of program metrics for reporting to measure the success of the GMCB’s data governance and stewardship program, as well as the timing and delivery method of metrics and reporting.
4 Agile Methodology

The agile approach for data governance and stewardship is derived from agile software development methodologies, which were developed in response to the known shortcomings of static, comprehensive, and process-oriented development methods. The overarching intent of the Council’s agile approach is to deliver completed work items that have resulted in significant gain and benefit to the GMCB or the State, and the broader public through use of its data resources, while simultaneously maintaining a robust and prioritized inventory of the work items that the Council may choose to address depending on resource availability, typically referred to in agile methodology as a “backlog”. The backlog of work items will be maintained on SharePoint by GMCB in an electronic format that is clearly organized and accessible to the Council, which will be reviewed regularly by the Council. Depending on resource availability, typically only the highest priority items will be addressed at any one time. This review process will allow the full attention of the parties assigned resources to that task in order to complete it as timely as possible. The agile approach for data governance and stewardship will also take into account that the priorities of the GMCB can change over time, and Decisions made by the Council can change and be re-prioritized accordingly.

The following steps should be adopted by the Council to continue organizing work specific to data governance and stewardship in an efficient and effective manner:

- Organize GMCB data governance and stewardship program staff (program staff) will consult with the Council to identify and organize the current priorities for data governance and the items that will be placed in a backlog of activities;
- Between Council meetings, program staff will take action on priority items and review and revise the backlog in order to keep the Council informed about the contents of the backlog in a timely manner between and during Council meetings;
- At each Council meeting, program staff will review the status of priority items, identify and discuss new emergent priorities, and time permitting, review current data governance activities and how each project is tracking, and review future activities that are part of the backlog to determine an appropriate target completion date for these items and;
- Clarify and update the requirements and resources required to support work on current priorities for data governance, as selected by the Council as follow:
  - Determine the individuals or workgroup(s) needed to support the current priorities;
  - Estimate the resource commitment needed for individuals and workgroup(s) needed to support each priority;
  - Estimate appropriate target dates for completion of priority items;
- Determine how success for each priority item will be measured; and
- Track progress on each activity through the use of SharePoint electronic format that is clearly organized and accessible to GMCB program staff and the Council.

- At Council meetings, discuss and assess how responsive and timely the agile approach is progressing and where improvements can be made and how to improve the approach.
5 Organizational Framework

5.1 Board Sponsorship and Vermont Open Meeting Law

On September 4, 2014, the Board approved the development of a data governance program and the formation of the Council to implement the program. With this approval, the Council will act as a public body within the definition of Vermont Open Meeting Law, since it is a committee of the Board. All meetings of the Council will comply with the Open Meeting Law requirements and will be open to the public. To meet additional requirements, the Council will ensure:

- **Public announcement/Advance public notice** of all meetings. The schedule of meetings (with details on meeting date, time and location, etc.) will be made available to the public on the GMCB and Vermont Department of Libraries websites;
- **The Open Meeting Law requires that any gathering of a quorum of the voting members of the Council, for the purpose of discussing the business of the Council or taking action, must be held as a publicly noticed open meeting, with notice given to the public;**
- **In general, the same procedures that guide how internal communications are conducted with the Board apply to the voting members of the Data Governance Council;**
- Agendas are posted 48 hours in advance for all meetings;
- Special meetings of the Council will be announced at least 24 hours before the meeting;
- To the extent possible, the meeting agenda will indicate if the Council will be voting on a particular topic;
- Minutes taken at meetings are made available five (5) days after each meeting;
- **Public opportunity for public comment** (subject to reasonable rules, 1 V.S.A. § 312(h)) is made available at each meeting;
- Responses to alleged violations of the law are made in a timely manner when there is an allegation of violation of the law. 1 V.S.A. § 314(b);
- Documents created by and for the Council should be marked “For Discussion Only” while the document is being developed, or if the intent of the document is solely to support a discussion during a Council meeting. As the document approaches a draft for review by the Council, it should then be marked as “Draft”. Documents that are final should not contain either of the aforementioned watermarks;
- Only final versions of documents are posted to the GMCB website. Other documents may be made available to the public upon request; and
- Working documents created for discussion by the Council will be maintained according to the Green Mountain Care Board records retention schedule.
The Council can assign work to its members or individuals outside its membership, which cannot be conducted outside of a public meeting, just as the Board assigns work to its staff. Vermont Open Meeting Law applies to the Council’s meetings, but not to all of its work.

5.2 Roles and Responsibilities

Voting Membership of the Council

The voting membership of the Council will be comprised of three distinct roles.

1. **Council Chair:** The Chair of the Council is responsible for overseeing the data governance and stewardship work during and between Council meetings, including:
   - Appointing and recruiting voting members of the Council as needed to address vacancies or changes to the structure for managing the Council membership;
   - By delegation of the Council, making decisions on requests for use and disclosure of data, including whether to defer any decisions on data use or disclosure or other issues of data governance and stewardship to the Board;
   - Addressing priorities identified by the Council including delegation of work to GMCB staff as needed to support addressing priority areas;
   - Working with GMCB data program staff to develop meeting agendas and facilitating activities;
   - Leading Council meetings; and
   - Facilitating the decision-making process of the Council. The role of the chair will be held by the Executive Director of the GMCB.

2. **Voting Council Members from the Board:** The Council will include Board members in its membership. Their role is to provide the perspective of the Board and to communicate with other board members about the work of the Council.

3. **Voting Council Members from the GMCB Staff:** The Council will include executive-level GMCB staff members designated by the Council chair to provide:
   - Providing a high-level perspective on the alignment of data stewardship, management, and analytical activities with the business policy and program initiatives of the GMCB to support
   - Supporting the Council in decision-making.

4. **Voting Council Member(s) from Other Vermont State Agencies or Organizations:** The Council may recruit voting member(s) from other Vermont state agencies and other organizations who may be data contributors, data users, technical experts, or policy leaders to share their expertise.

The voting membership of the Council will be composed at a minimum of five (5) individuals including the Council chair. For a voting membership of five (5) members, four voting members of the Council shall constitute a quorum, except that three members shall constitute a quorum at
any meeting upon the written authorization of the Council chair issued in connection with that meeting. The Council chair may refer items to the Board as deemed necessary and appropriate for a final vote.

A key responsibility of the Council chair is to make decisions on applications for data use agreements (DUA) and other issues pertaining to the use and disclosure of the data as identified by GMCB staff. In this role, the Executive Director may, by delegation of the Council, approve or disapprove DUA applications and other requests pertaining to use and disclosure of the data; request that applicants and requestors clarify or file additional information; or defer decision-making on DUA applications and other requests to the Board. Additional details on policies and procedures pertaining to data use, release, and re-disclosures are included in the GMCB Data Use and Disclosure Guide.

Other key responsibilities of the Council chair include identifying and queuing up issues for the Council pertaining to the other areas of data governance and stewardship including Risk Management, Finance and Program Sustainability, and Data Quality and Utility.

Workgroups and Council meetings providing the Council with information related to their respective areas of expertise. Non-voting members will include GMCB General Counsel and staff members who have data management or analysis roles in the Agency.

The membership of the Council approved by the GMCB on September 4, 2014 is summarized in the following table:

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<th>Voting members</th>
<th>Non-voting members</th>
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<tr>
<td>Ena Backus</td>
<td>Mike Donofrio</td>
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<tr>
<td>Susan Barrett (Chair)</td>
<td>Dian Kahn</td>
</tr>
<tr>
<td>Mike Davis</td>
<td>Stacey Murdock</td>
</tr>
<tr>
<td>Betty Rambur</td>
<td>Zach Sullivan</td>
</tr>
<tr>
<td>Allan Ramsay</td>
<td></td>
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Review of the voting membership (both voting and non-voting members) of the Council will be conducted on an ongoing basis, and when necessary, changes to the composition of voting and non-voting membership will be made by the Council chair to support the objectives of the Council.

5.3 Workgroups

In addition to the membership of the GMCB Staff Support Functions

Council workgroups chair may be created to directly designate GMCB staff to provide technical, legal, and administrative support to the Council or delegate the designations to a staff lead. GMCB support staff will include a GMCB staff attorney and staff members with data
governance, management, analytical and administrative roles in the data program, and other capabilities as needed by the Council. The Council chair may designate a staff lead to coordinate the activities. Standing workgroups may guide a particular area of the support staff.

GMCB staff will be responsible for processing, reviewing, and making recommendations on DUA applications and requests and issues pertaining to data use and disclosure. This support role includes working with the Council chair, Council, the Board, DUA applicants, and internal and external parties who file requests and identify issues requiring clarification or decisions. Support staff will coordinate requests for information and clarification, gather and organize additional information, and schedule applicants to testify at meetings as requested by the Council or the Board.

Designated staff will also support the Council chair, the Council, and the Board with activities and research pertaining to other areas of data governance and stewardship including Risk Management, Finance and Program Sustainability, Data Quality and Utility, and other areas as requested.

Support staff will assist the Council during and between meetings performing activities related to:

- Addressing and making decisions on prioritized and backlogged items;
- Supporting the ED’s and Council’s decision-making process on DUA applications and other requests pertaining to data use and disclosure;
- Researching topics as requested;
- Planning and supporting meeting logistics and documentation;
- Posting materials and notifications on the GMCB website; and
- Supporting workgroups as assigned by the Executive Director or the GMCB or the support staff lead.

5.3 Workgroups

The Executive Director and the Council may create workgroups composed of individuals with expertise in targeted subject areas to support GMCB data governance and stewardship activities. Standing workgroups may provide guidance and advice on particular areas of data governance including, but not necessarily limited to Data Release, and special workgroups Quality and Utility, Risk Management, Finance and Program Sustainability, and Data Use and Disclosure. Workgroups addressing targeted issues may be assigned a specific role over an expected timeframe. Workgroups are not intended to be policy-making bodies but will inform the Data Governance Council on matters related to the management of the GMCB’s data and information resources. To ensure proper administration, efficient and effective management of group process, each workgroup should have a GMCB lead member responsible for
scheduling, planning, facilitating workgroup meetings, and coordinating research and reporting to the Data Governance Council and the Board as needed.

5.4 Effective Date

Revisions to this Charter shall take effect upon the first meeting of members appointed thereunder.