

GREEN MOUNTAIN CARE BOARD (GMCB)
GMCB Board Meeting Minutes
Wednesday, April 21, 2021
1:00 pm

Attendance

Kevin J. Mullin, Chair (*via Microsoft Teams*)
Susan J. Barrett, JD, Executive Director (*via Microsoft Teams*)
Michael Barber, General Counsel (*via Microsoft Teams*)
Robin Lunge, JD, MHCDS (*via Microsoft Teams*)
Maureen Usifer (*via Microsoft Teams*)
Jessica Holmes, PhD (*via Microsoft Teams*)
Tom Pelham (*via Microsoft Teams*)

Executive Director's Report

Chair Mullin called the meeting to order at approximately 1:00 pm. Susan Barrett announced the Board Meeting on April 28, 2021 may be canceled. The May Board Meeting schedule will be released in the next few days. The Board is continuing to accept [public comment](#) to inform a potential new agreement with the State of Vermont and CMS, which will be shared with the other All-Payer Model signatories.

Minutes

The Board voted (5-0) to approve the minutes from April 14, 2021.

Introduction of the Data Governance Council

Kathryn O'Neill, Director of Data Management Analysis and Data Integrity, GMCB

Kathryn O'Neill presented an overview of the Data Governance Council. The council focuses on risk management, data quality, program sustainability, and data release, and it meets every other month in an open, public meeting. Kathryn O'Neill presented the seven current council members and their backgrounds.

Susan Barrett explained that the council has been active since 2018 under the current charter and receives helpful input from stakeholders during the public meetings. The council has created guidance for several program efforts: supporting private industry use of the GMCB's data assets to drive innovation, informing the data users group and advanced technical users' group, exploring fee structures for data release, providing support for the enhanced data validation project, and aligning with industry standards for security. Susan Barrett reviewed recent decisions made by the council.

Board Member Homes asked if there is a requirement that approved, non-state entities using the data sets share their findings and where the findings are kept. Kathryn O'Neill explained that any

entity using the VHCURES data set needs to send proposed publications through a pre-publication review process with GMCB staff and [publications are posted on the GMCB website](#). Board Member Holmes asked about analyses that are not published and Kathryn O’Neill explained that it is not required but will be thought about going forward.

Proposed Data Submission and Release Draft Rules – Potential Vote

Russ McCracken, Staff Attorney, GMCB

Russ McCracken explained the two proposed rules governing data submission and data release for the VHCURES and VUHDDS data sets are being proposed to replace the BISHCA rule that is more than 10 years old. The new rules would provide more flexibility to account for changing technology and research needs. One rule concerns data submission and the other data release. The Data Governance Council voted to support presenting the draft proposed rules to the Board following a review at a public council meeting on February 2, 2021. [The draft rules are posted on the GMCB website](#) and stakeholder outreach was done in February 2021.

Russ McCracken reviewed the formal rulemaking process under the Vermont Administrative Procedures Act that would begin with the Board voting on the rules. Russ McCracken presented the authority/legal context for data submission, section 8.200 (VHCURES registration and submission), section 8.300 (VUHDDS submission), and section 8.400 (changes to a reporting manual) of Rule 8.000 Data Submission. Russ McCracken presented the authority/legal context for data release, section 9.201 (availability of data), section 9.202 (modes of access; secure analytic environment), section 9.203 (release of public use data, analytic tables, and standard reports), section 9.301 (application), section 9.302 (review of applications), section 9.303 (data use agreements), section 9.401 (analytic and information services), section 9.402 (costs, fees, and fee waivers), section 9.501 (data linkage), section 9.502 (data redisclosure), and section 9.601 (enforcement) of Rule 9.000 Data Release. [The presentation can be seen here on the GMCB website](#).

The Board Members had a discussion and asked the GMCB staff questions about whether the costs and fees to the vendor are in accordance with bulletin 3.5, possible fee structures for data release and fee bill, and AHS’ suggestion to promote the combination of claims and clinical data through VITL. The Board decided to take up the vote at the next Board Meeting.

Public Comment

Michael Durkin, Esq., Assistant General Counsel and HIPAA Privacy Officer, BCBSVT

Old Business

None

New Business

None

Adjourn

The Board voted (5-0) to adjourn at approximately 2:20 pm.

Unapproved