

GREEN MOUNTAIN CARE BOARD

Data Governance Council

December 7, 2021

2:00pm, via Microsoft Teams

Attendance (Voting Members)

Susan Barrett, Council Chair and Executive Director, GMCB

Tom Pelham, Board Member, GMCB

Cathy Fulton, Executive Director, VPQHC

Lauri Scharf, Manager of Informatics, Bi-State Primary Care Association

Kristin McClure, Chief Data Officer, ADS

Jessie Hammond, Public Health Statistics Chief, VDH

Absent: Sarah Kinsler, Director of Health Systems Policy

Others Present

Kate O'Neill, GMCB

Sarah Lindberg, GMCB

Russ McCracken, GMCB

Rebecca Copans, BCBSVT

Jennifer Kaulius, UVMCC

Eric Schultheis, HCA

Call to Order, Chair's Report

Susan Barrett called the meeting to order at approximately 2:02 pm.

Approve October Meeting Minutes

The Council voted (6-0) to approve the minutes from October 5, 2021.

Announcements/Updates

Kate O'Neill updated the Council on the stalled federal grant program in the no surprises act, part of the federal consolidated appropriations act. Kate also updated the Council on the new State Agency Data Use Agreements in place with JFO and DFR. Russ McCracken provided an update on the Rule revision process, currently scheduled to be heard by LCAR on 12/16/2021. Sarah Lindberg updated on the enhanced data validation project and development of a reimbursement variation dashboard, on target to be released February 2022.

Proposed Legislative Language Change Discussion

Kate and Sarah presented information about a technical bill that GMCB is currently drafting that would include a proposal to repeal the subsection that requires certain data elements be de-identified prior to their submission to VHCURES. Repealing this subsection would allow for the exploration of the possibility to collect these data elements in an identified format in the future, which has numerous benefits such as reducing redundant systems and improving data linkage and analyses to support the regulatory work of the Board. Vermont was one of the first established All-Payer Claims Database in the nation. Since then, many states have more recently established APCDs and accompanying laws with more flexibility. Many states also collect these types of data in an identified format, and there are methods and procedures to mitigate risk and provide substantial data protection. The proposed change would not alter the HIPAA protections, laws, policies and practices currently in place and the GMCB would continue to release data in a de-identified format to authorized users.

Currently Medicare provides Vermont with research identifiable files, which include the de-identified data elements addressed in Vermont's statute. In this case, the vendor de-identifies the elements upon receipt. For all other submitters, by law, the data elements are deidentified before they are submitted. If the statute were to change, there would be an opportunity to explore data sharing and integration, which could also enhance data matching. The risk is transmitting sensitive data but with other protections in place the risk is low.

Council members asked questions about other state experiences, legislative support for this proposal, lessons learned/vulnerabilities, and current security measures. Kate agreed to invite Onpoint Health Data (Vermont's APCD vendor) to an upcoming Council meeting to explain their security protocols in more detail.

Public Comment

Eric Schultheis asked for clarification about encryption in motion, and Sarah clarified that it is currently two-way encryption and that would continue. Eric expressed concern about the potential release of deidentified data, and asked what would need to be enhanced in terms of legal protections? Sarah confirmed that GMCB does not expect to release any identifiable data and that the HIPAA requirements would continue to govern the release of the data.

New Business

None.

Adjourn

The Council voted (6-0) to adjourn at approximately 3:00pm.

Next meeting is Tuesday February 1, 2022. This will be a virtual meeting via Microsoft Teams, although a conference room at 144 State Street in Montpelier will also be available for anyone wanting to attend in person.