

VHCURES Data Submission

Summary

Vermont statute 18 V.S.A. § 9410 requires the GMCB to protect the privacy of data in its All-Payer Claims Database (APCD) known as the Vermont Health Care Uniform Reporting and Evaluation System (VHCURES). This statute also prohibits the public disclosure of any data that contains direct personal identifiers. In 2022, Act 167 repealed subsection (e) of 18 V.S.A. § 9410, which now allows for the collection of direct identifiers (such as patient name) into the secure VHCURES database. The change applies only to specific data and only relates to the *submission of data*. Protections related to the *release of data* remain unchanged.

Green Mountain Care Board

The purpose of the Green Mountain Care Board is to promote the general good of the State by:

1. Improving the health of the population;
2. Reducing the per-capita rate of growth in expenditures for health services in Vermont across all payers while ensuring that access to care and quality of care are not compromised;
3. Enhancing the patient and health care professional experience of care;
4. Recruiting and retaining high-quality health care professionals; and
5. Achieving administrative simplification in health care financing and delivery.

18 V.S.A. § 9372

What Data are Submitted to VHCURES?

The VHCURES secure database contains medical and pharmacy claims and patient information. VHCURES data includes approximately 60 percent of commercially insured Vermont residents and 100 percent of Vermont's Medicaid and Medicare enrollees. The requirements for data collection are in GMCB's Administrative Rule 8.000.

How are Data Submitted to VHCURES?

All submissions are sent over a secure connection called Secure File Transfer Protocol (SFTP). When files are received, security protocols are completed before the data are stored in the secured data warehouse. Prior to the repeal of subsection (e) of 18 V.S.A. § 9410¹, commercial payers and Medicaid were required to transform some data, like name and social security number, before submission to the VHCURES database through a process called *one way encryption*. Medicare data, and now, commercial and Medicaid data are submitted to VHCURES without one way encryption, meaning that all data fields are submitted into the database in a clear readable format.

Change in State Statute Allows for the Collection of Direct Identifiers

The Repeal of subsection (e) of 18 V.S.A. § 9410 allows the collection of direct identifiers (also known as live identifiers or clear text data). In February 2023, GMCB implemented the change to enable data to be collected into the VHCURES database in clear readable format. With this change GMCB now receives data from commercial payers and Medicaid like it does from Medicare (without a one-way encryption before submission). This eases the burden on payers (submitters of data to VHCURES) since one-way encryption requires extra steps in the data submission process. It allows the GMCB to bring data together based on use-case to better carry out its regulatory duties. It allows the GMCB to join data with other health data

¹18 V.S.A. § 9410 (e) Records or information protected by the provisions of the physician-patient privilege under 12 V.S.A. § 1612(a), or otherwise required by law to be held confidential, shall be filed in a manner that does not disclose the identity of the protected person.

organizations across the state by using a common master patient index. A common index is critical to achieve the state's goal of having one health record per person across data systems.

How Does This Change Help Vermonters?

Receiving direct identifiers into VHCURES improves the ability to bring data together across the state, which furthers the state's goal to support an integrated and non-redundant data system, and supports richer analyses and research capabilities. VHCURES data with direct identifiers allows for data sharing efficiency and improved quality of data for analysis and research.

What Privacy and Security Protections are in Place?

State statute requires that the Board protect the privacy of these data. It incorporates protections from HIPAA (18 V.S.A. § 9410(h)(2))² and goes further by prohibiting all public disclosure of direct personal identifiers (18 V.S.A. § 9410h(3)(D))³. VHCURES is additionally protected by a variety of security standards and certifications. VHCURES is certified by, or compliant with, the following: HITRUST, HIPAA and CMS Qualified Entity Certification Program, Service Organization Center 3 (SOC-3), National Institute of Standard and Technology (NIST), Certified Information Systems Security Professional (CISSP).

How Does a Change Like This Impact Data Protections?

State statute continues to require that GMCB protect the privacy of these data. It prohibits public disclosure of any data that contain direct personal identifiers, even if allowed under HIPAA. So, current privacy protections would not change. Data users would still only have access to deidentified data. In addition, GMCB maintains Administrative Rules that govern data collection and authorized data release. GMCB also maintains a Data Governance Council, which is a committee of the Board responsible for overseeing GMCB's data stewardship program.

Examples of Analyses Using VHCURES

Various GMCB Reporting

<https://gmcboard.vermont.gov/data-and-analytics/analytics-rpts>

Blueprint for Health Community Health Profiles

<https://blueprintforhealth.vermont.gov/community-health-profiles>

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² [18 V.S.A. § 9410](#) (h)(2) *The collection, storage, and release of health care data and statistical information that are subject to the federal requirements of the Health Insurance Portability and Accountability Act (HIPAA) shall be governed exclusively by the regulations adopted thereunder in 45 C.F.R. Parts 160 and 164.*

³ [18 V.S.A. § 9410](#) (h)(3)(D) *Notwithstanding HIPAA or any other provision of law, the comprehensive health care information system shall not publicly disclose any data that contain direct personal identifiers. For the purposes of this section, "direct personal identifiers" include information relating to an individual that contains primary or obvious identifiers, such as the individual's name, street address, e-mail address, telephone number, and Social Security number.*

