Annual Report Workgroup Update

Aaron Miri, Co-Chair
Carolyn Petersen, Co-Chair

December 13, 2018

Annual Report Workgroup Update Agenda

- Workgroup Membership and Scope

- Update on FY18 Annual Report Development

  » Outline of Section on HITAC Progress in FY18

  » Insights from Deeper Dive in Privacy and Security Priority Target Area

- Next Steps and Meeting Schedules

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Annual Report Workgroup Membership and ONC Staff

Member Name	Organization	Role
Carolyn Petersen	Individual	Co-Chair
Aaron Miri	The University of Texas at Austin, Dell Medical School and UT Health Austin	Co-Chair
Christina Caraballo	Audacious Inquiry	HITAC Committee Member
Brett Oliver	Baptist Health	HITAC Committee Member
Chesley Richards	Public Health Scientific Services, CDC	Federal Representative

ONC Staff Name	Title	Role
Donald Rucker	National Coordinator for Health Information Technology	
Elise Sweeney Anthony	Executive Director, Office of Policy	
Seth Pazinski	Division Director, Strategic Planning & Coordination	
Lauren Richie	Branch Chief, Policy Coordination	Designated Federal Officer (DFO)
Michelle Murray	Senior Health Policy Analyst	Workgroup ONC Staff Lead

Annual Report Workgroup Scope

- **Overarching:** The workgroup will inform, contribute to, and review draft and final versions of the HITAC Annual Report to be submitted to the HHS Secretary and Congress each fiscal year. As part of that report, the workgroup will help track ongoing HITAC progress.

- **Detailed:** Provide specific feedback on the content of the report as required by the 21st Century Cures Act including:

  » Analysis of HITAC progress related to the priority target areas

  » Assessment of health IT infrastructure and advancements in the priority target areas

  » Analysis of existing gaps in policies and resources for the priority target areas

  » Ideas for potential HITAC activities to address the identified gaps

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Annual Report Workgroup

Update on FY18 Annual Report Development

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Progress on Draft FY18 Annual Report Outline

I. Executive Summary – TBD

II. Overview – TBD

III. HITAC Progress in FY18 – New content to be presented on 12/13/18

IV. Health IT Infrastructure Landscape Analysis – Presented on 10/17/18

V. Health IT Infrastructure Gap Analysis – Presented on 10/17/18

VI. Recommendations for Addressing Health IT Infrastructure Gaps –

   Initially presented on 10/17/18 and update to be presented on 12/13/18 in Privacy and Security Priority Topic Area

VII. Suggestions for Additional HITAC Initiatives – None identified for FY18

VIII. Conclusion – TBD

IX. Appendices – TBD

Outline of Section on HITAC Progress in FY18

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HITAC Progress in FY18: Trusted Exchange Framework

- **Trusted Exchange Framework Task Force**

  » Overarching charge: The Trusted Exchange Framework Task Force will develop and advance recommendations on Parts A and B of the Draft Trusted Exchange Framework to inform development of the final Trusted Exchange Framework and Common Agreement (TEFCA).

  » Specific charge: Make specific recommendations on the language included in the Minimum Required Terms and Conditions in Part B, including:

  – Recognized Coordinating Entity

  – Definition and Requirements of Qualified HINs

  – Permitted Uses and Disclosures

  – Privacy and Security

  » Accomplishments in FY18

  – Held nine public meetings of task force

  – Transmitted 26 recommendations to National Coordinator for Health IT

- ## USCDI Task Force

  » Overarching charge: Review and provide feedback on the USCDI structure and process.

  » Specific charge: Provide recommendations on the following:

  – Mechanisms/approaches to receive stakeholder feedback regarding data class priorities;

  – The proposed categories to which data classes would be promoted and objective characteristics for promotion;

  – How the USCDI would be expanded and by how much; and

  – Any factors associated with the frequency with which it would be published.

  » Accomplishments in FY18

  – Held nine public meetings of the task force

  – Transmitted nine recommendations to National Coordinator for Health IT

- ## Interoperability Standards Priorities Task Force

  - » Overarching charge: To make recommendations on priority uses of health information technology and the associated standards and implementation specifications that support such uses.

  - » Specific charge: The ISP Task Force will:

    - Make recommendations on the following:

      - Priority uses of health IT (consistent with the Cures Act's identified priorities);

      - The standards and implementation specifications that best support or may need to be developed for each identified priority; and

      - Subsequent steps for industry and government action.

    - Publish a report summarizing its findings.

  - » Accomplishments in FY18

    - Held six public meetings of the task force

    - Produced initial list of priority uses for further discussion

HITAC Progress in FY18: Administrative Requirements

- **Policy Framework**

  » The 21st Century Cures act states:

  – "In General, the Health IT Advisory Committee shall recommend to the National Coordinator a policy framework for adoption by the Secretary consistent with the strategic plan under section 3001(c)(3) for advancing the target areas described in this subsection. Such policy framework shall seek to prioritize achieving advancements in the target areas specified in subparagraph (B) of paragraph (2) and may, to the extent consistent with this section, incorporate policy recommendations made by the HIT Policy Committee, as in existence before the date of the enactment of the 21st Century Cures Act."

  » Accomplishments in FY18

  – HITAC transmitted a recommended policy framework for ONC activities to the National Coordinator for Health IT

HITAC Progress in FY18: Administrative Requirements

- ## HITAC Annual Report Workgroup

  » HITAC formed a workgroup to inform, contribute to, and review draft and final versions of the HITAC Annual Report to be submitted to the HHS Secretary and Congress each fiscal year. As part of that report, the workgroup will help track ongoing HITAC progress.

  » The workgroup consists of five HITAC members, two of whom serve as workgroup co-chairs

  » Accomplishments in FY18

  - Established scope of workgroup's activities in support of development of FY18 Annual Report

  - Held three public meetings of workgroup

  - Updated HITAC full committee on progress on 9/5/18

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HITAC Progress in FY18

- Discussion Question for HITAC Members

  » Are there any questions or comments about the draft section on HITAC Progress in FY18?

Annual Report Workgroup

Insights from Deeper Dive in

Privacy and Security Priority Target Area

Privacy and Security Expert Panel

- The Annual Report Workgroup heard from privacy and security experts at their meeting on 11/9/18

- Topics and presenting organizations included:

  » Health Information Privacy Beyond HIPAA

    – National Committee on Vital and Health Statistics (NCVHS)

  » Cybersecurity Framework

    – National Institute of Standards and Technology (NIST)

  » Cybersecurity Tools

    – HHS Office for Civil Rights (OCR)

- The members discussed and modified relevant opportunity ideas at their meeting on 12/4/18

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Privacy and Security Priority Target Area

- Important Opportunities Identified by Workgroup

  » Consider what to regulate about the Internet of Things (IoT)

    – Problem to Solve: "IoT turns data that previously was mostly static into data that is in motion most of the time….There are no governance structures or policies or frameworks or agreements or legal boundaries or anything around data in motion." (from NCVHS report, p. 53)

    – Suggested HITAC Activity: Identify areas of IoT use that would benefit from guidance and examples of success in the health care industry

  » Support for and education of technology users regarding privacy and security protections, including for health and other information shared on social media

    – Problem to Solve: While social media platforms can enable collaboration, users are also vulnerable to privacy breaches and misuse of their health information

    – Suggested HITAC Activity: Identify educational approaches, technological mitigators, and potential regulatory solutions that offer improved privacy and security protections

Privacy and Security Priority Target Area

- ## Other Opportunities Identified by Workgroup (continued)

  » Increased uniformity of information sharing policies across states

    – For example, address implications of the California Consumer Privacy Act of 2018.

    – Suggested HITAC Activity: Consider federal role in setting guidelines for exchange of data across states

  » Support for widespread adoption of cybersecurity framework(s)

    – Suggested HITAC Activity: Consider impact of nationwide adoption of cybersecurity framework(s)

    – Suggested HITAC Activity: Delineate cybersecurity accountability for data by role

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Privacy and Security Priority Target Area

- Other Opportunities Identified by Workgroup (continued)

  » Granular levels of consent to share and disclose information

    – Problems to Solve: Current consent form collection and storage practices are static and not aligned with data in motion, i.e., consent should flow with the data; the design and use of consent forms need to become more user-centered

    – Suggested HITAC Activity: Undertake a review of emerging consent approaches and the technologies that underpin them and make recommendations for improvement of current consent approaches

Privacy and Security Priority Target Area

- Other Opportunities Identified by Workgroup (continued)

  » Address implications of European Union's General Data Protection Regulation (GDPR) and Privacy Shield

  » Education about HIPAA and Confidentiality of Substance Use Disorder Patient Records (a.k.a. 42 CFR Part 2) regulation implications

  » Continue to improve patient matching when sharing data

Privacy and Security Priority Target Area

- Discussion Question for HITAC Members

  » Are there other suggested HITAC activities to include in the FY18 Annual Report for these privacy and security target area opportunities?

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Next Steps and Meeting Schedules

Annual Report Workgroup Next Steps

Next steps for FY18 report development:

1. Workgroup develops draft report

2. Draft report shared with HITAC full committee

3. HITAC full committee reviews report and suggests edits

4. HITAC full committee approves revised report

5. HITAC forwards the final report to the National Coordinator for Health IT

6. The National Coordinator forwards final report to HHS Secretary and Congress

Meeting Schedule for Workgroup

Month	Deliverables to Review
June 20, 2018	Workgroup scope for FY18 Annual Report announced
August 2, 2018	Plans for FY18 Annual Report discussed
August 24, 2018	Landscape Analysis Outline discussed Gap Analysis Outline discussed
September 20, 2018	Landscape Analysis and Gap Analysis discussed
October 18, 2018	Landscape Analysis and Gap Analysis discussed Outline of HITAC Progress in FY18 discussed
November 9, 2018	Privacy and Security Priority Target Area discussed
December 4, 2018	Privacy and Security Priority Target Area discussed
January 10, 2019	FY18 Annual Report Draft discussed
Winter/Spring 2019	FY18 Annual Report completed as needed
Spring 2019	Work begins on FY19 Annual Report

Review Schedule for Full Committee

Meeting Date	Action Items/Deliverables
June 20, 2018	Subcommittee Charge presented
September 5, 2018	Workgroup Update
October 17, 2018	Landscape Analysis and Gap Analysis Update
December 13, 2018	Description of HITAC Progress in FY18 Update
January 23, 2019	FY18 Annual Report reviewed by HITAC
February 20, 2019	FY18 Annual Report reviewed/approved by HITAC
Winter/Spring 2019	FY18 Annual Report submitted to HHS Secretary FY18 Annual Report submitted to Congress

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Health IT Advisory Committee

Questions?

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