

## Health Information Technology Advisory Council Charter for the HIE Regulations Advisory Subcommittee

Draft for Consideration by the Council on June 15, 2023

### Article 1: Authority to Establish and Name a Subcommittee

**Section 1:** The Health Information Technology Advisory Council (HITAC) was established by Connecticut General Statutes (CGS) Section 17b-59f to:

- Advise the Executive Director of the Office of Health Strategy (OHS) and the Health Information Technology Officer (HITO) in accordance with CGS Section 19a-754a on priorities and policy recommendations to advance the state's health information technology (health IT) and health information exchange (HIE) efforts and goals;
- Advise the Executive Director and HITO in the development and implementation of the statewide health IT plan and standards and the Statewide Health Information Exchange, established pursuant to CGS Section 17b-59d; and
- Advise the Executive Director and HITO regarding the development of appropriate governance, oversight, and accountability measures to ensure success in achieving the state's health IT and exchange goals.

The HITAC set forth in its Charter (Article 5, Section 3) the authority to form standing and/or limited duration working groups to deliberate and provide recommendations to the HITAC and OHS on topics of specific concern or interest related to the Council's role as established in statute.

### Article 2: Background, Purpose, and Process

**Section 1: Background:** In accordance with the provisions of CGS Chapter 54, the Executive Director of the Office of Health Strategy is charged with the responsibility and authorities to adopt regulations necessary to implement the provisions of [CGS 17b-59d](#) (State-wide Health Information Exchange), and [CGS 17b-59e](#) (Electronic health record systems. Connection to State-wide Health Information Exchange).

Connecticut's General Assembly established legal requirements for hospitals, clinical laboratories, and other health care providers with an electronic health record system to begin the process of connecting and participating in the Statewide HIE in CGS 17b-59e. A regulatory framework for Connecticut should be grounded by a set of principles that inform the development of administrative rules, policies and procedures, contractual terms and

authorities, and other levers that will help to ensure that data flowing from any source into and through the HIE are managed in adherence with principles of *safety, security, ethics and responsibility, equity, and patient-centric*. A regulatory framework must not just work within the four corners of the Statewide HIE statutes but be in compliance with all applicable federal and state statutes and be responsive to stakeholder needs.

It may be a valuable step while planning for a trusted regulatory framework for the Statewide HIE in Connecticut, to also look back at previous planning and evaluation work for HIE services. The HITAC chartered the [HIE Governance Design Group](#) and the [eCQM Design Group](#) in 2017, the [HIE Use Case Design Group](#) in 2018; and the [Consent Design Group](#), in 2019. Each of these advisory groups put thoughtful consideration into the data services, data protections, and the sustainability of a Statewide HIE, prior to the formation of Connie that could prove helpful at this juncture.

**Section 2, Purpose:** The purpose of the HIE Regulations Advisory Subcommittee (RAS) is to provide recommendations and feedback to the HITAC and the HITO regarding administrative rules, policies, contractual terms and conditions, and other components of a regulatory framework pertaining to Connecticut's Statewide HIE. This group's work will support the Executive Director of the Office of Health Strategy in the propagation of regulations, policies and procedures to support Connecticut's Statewide HIE and all participants in the HIE's services, allowing effective implementation of Connecticut's General Statutes for Health Information Exchange, codified in (CGS) Sections 17b-59a through 17b-59g.

**Section 3, Process:** The RAS will meet on a regular cadence for an estimated twelve-month timeframe, with six to eight meetings of the subcommittee anticipated during that timeframe to achieve the workgroup's purpose.

In order to develop recommendations, the subcommittee may gather stakeholder feedback, review the regulatory landscape in other states, invite and engage with subject matter experts and undertake any activities in support of its purpose. The RAS will be supported by OHS staff and contractors, will determine a process to draft HIE Regulatory recommendations for rules, policies, etc., to share with the HITAC and the HITO.

The RAS will provide regular updates and/or recommendations on the Statewide HIE Regulations to the HITAC at the Council's meetings, and /or to the HITO as requested by the HITO. The RAS will develop and submit a draft report to HITAC with suggestions and recommendations for the Statewide HIE Regulations including any recommendations for administrative rules and policies. Timeframe for this report will be determined by the needs and outcomes during the subcommittee meetings in conjunction with the timeframe set by the OHS executive director on promulgating HIE regulations.

## Article 3: Membership

**Section 1, Members:** The HITAC's Co-Chairs will make appointments of between 6-9 individuals from within HITAC members with the goal to have broad representation of constituencies.

**Section 2, Term of Membership:** Membership on the RAS shall be for a 12-month timeframe, unless extended by a vote of the subcommittee membership and approved by the HITAC.

**Section 3, Attendance:** Members of the RAS will commit to regular attendance of meetings. RAS members will inform the Chair if they need to be absent from a meeting. To ensure ongoing representation of stakeholder domains, the HITAC Co-Chairs will request the resignation of any member of the RAS who becomes unable to attend meetings on a regular basis, so another person from the represented sector can be appointed.

## Article 4: Role of Subcommittee Chair

**Section 1, Chair Appointment:** The Chair of the RAS shall be appointed by the Co-Chairs of the Council.

**Section 2, Duties of Chair:** The Chair of the RAS shall preside at all meetings of the workgroup, will ensure appropriate representation and subject matter expertise, and will provide guidance and content review to staff and contractors supporting the workgroup. A representative from the RAS will be selected by the Chair to assume responsibilities of the Chair, in the event of the Chair's absence from any workgroup meeting.

## Article 5: Project Management

- OHS, with consulting and project management support, will develop meeting agendas and materials, conduct research and analysis, and provide meeting facilitation and legal support for the RAS. A project schedule will be maintained, and meeting minutes will be posted in draft form to the OHS web site within seven calendar days of each of the RAS meetings. Minutes shall be deemed final by majority vote of a quorum of RAS members at a subsequent meeting and approved minutes will be posted to the OHS website within seven calendar days of the subcommittee's approval.

## Article 6: Meetings and Operating Procedures

The RAS will convene through virtual meeting technology for the number of meetings required to consider and develop recommendations for the HITAC, the HITO, and ultimately, the Executive Director of OHS. The meeting schedule and frequency will be determined by the Chair, with an expected kick-off of the RAS in July or August 2023.

Meetings will be governed by Robert's Rules of Order, Abbreviated. A majority of the members of the Subcommittee shall constitute a quorum. Action on agenda items may be taken by no less than a majority of a quorum.

All meeting notification information will be published on the Connecticut Public Notice website and on the OHS website.

Members of the RAS are expected to be active participants in meetings, and to be prepared for meetings by reviewing materials in advance.

### **Article 7: Records, Governance and Public Comment**

Please refer to the HITAC Charter for requirements related to records maintenance, governance, and public comment. The RAS will adhere to all requirements, policies, and laws set by the State of Connecticut and the HITAC.