

AGENDA

MiHIN Privacy and Security Sub Work Group

January 7, 2010

9:00 a.m. – noon

Kellogg Hotel and Conference Center, Room # 103B Michigan State University
55 South Harrison Road East Lansing, MI 48824 - (517) 432-4000

Meeting called by Privacy and Security Sub Work Group. To attend this meeting you will be required to register prior to the meeting start time. Click this URL: <https://premconf.webex.com/premconf/j.php?ED=102523932&RG=1>
On the Meeting Summary page, click Register and complete the requested information. Once the meeting host has accepted or denied your registration, you will receive an email to that effect.

If you are accepted to the meeting, the email will also contain a link to the meeting, any necessary passwords, and the dial-in information for the meeting.

Please read: Reading Materials on MiHIN website

9:00 a.m. – 9:15 a.m.	Introductions and Welcome Co-chair, voting process Work group expectations	<i>Kelly Coyle</i>
------------------------------	---	--------------------

9:20 a.m. – 9:45 a.m.	Project Review MiHIN Project Overview Workgroups and Relationships Where Privacy and Security Fits In	<i>Kelly Coyle Mike Gagnon</i>
------------------------------	---	------------------------------------

9:50 a.m. – 10:25 a.m.	Deliverables and Timeline Review of sub work group deliverables <ol style="list-style-type: none">1. MiHIN Consent package approach and policy and plan for implementation2. Policies and Procedures for:<ul style="list-style-type: none">▪ Authorization▪ Authentication▪ Access▪ Audit▪ Breach3. Draft Strategic Plan P/S section4. Draft Operations Plan- P/S section5. Develop draft trust agreements6. Build on and update HISPC project work for Provider Education and Outreach and Harmonization of State Privacy Law	<i>Margaret Marchak Kelly Coyle</i>
-------------------------------	---	---

7. Draft Future plans for Harmonization of Intrastate and Interstate state privacy laws

Timeline and Milestones

10:25 a.m. –10:40 a.m.

Break

10:40 a.m. – 11:45 a.m..

Initial Discussion on Consent Package

- Recommended consent form, requirements, exceptions and “break the glass”
- Public health reporting
- De-identified data
- Health information with extra protections (HIV/AIDS, mental health, substance abuse, etc.)
- Minors

Margaret Marchak

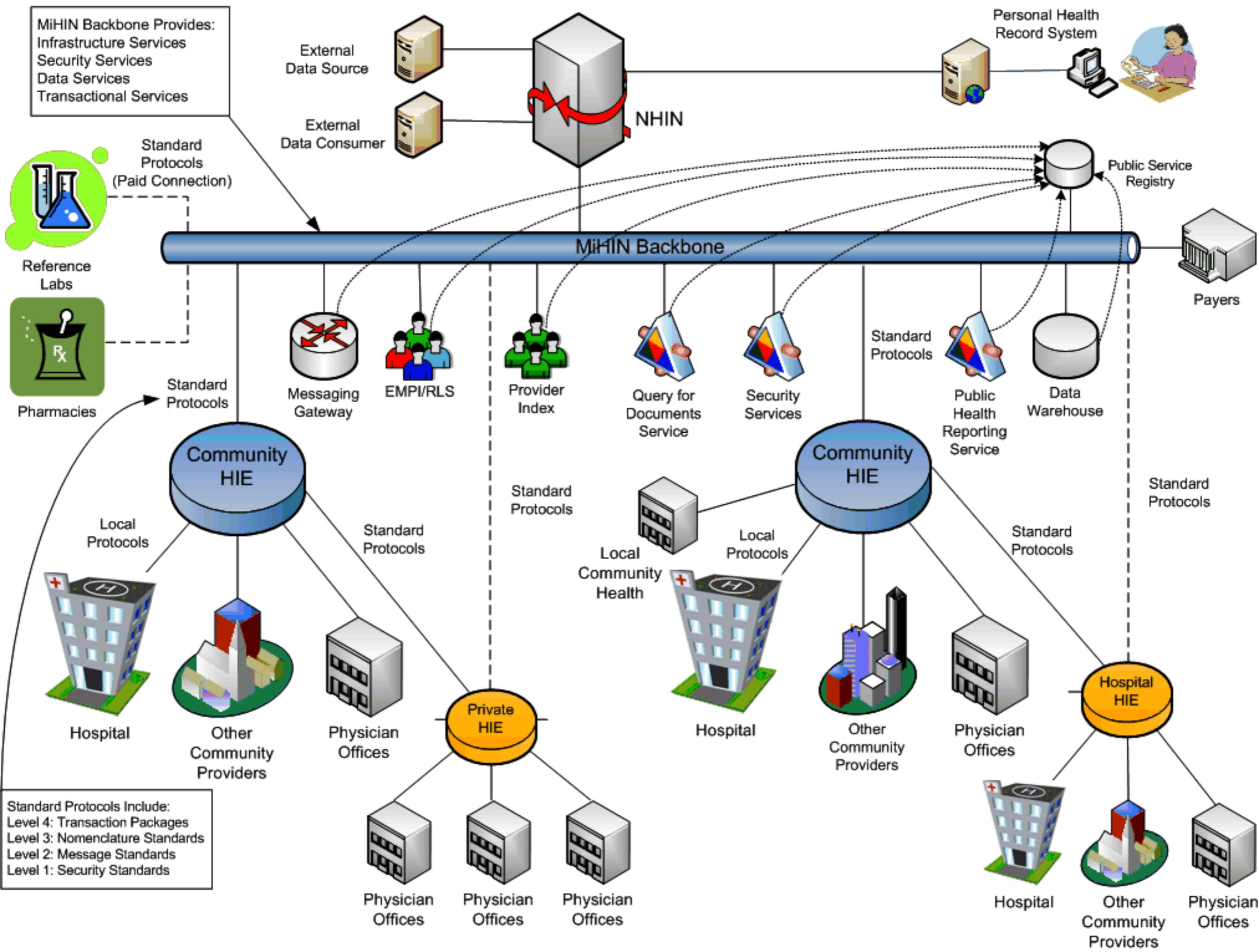
11:45 a.m. – noon

Future Meeting Schedule

HISPC website: www.MIHISPC.org

KCoyle@MPHI.ORG 517.324.6042

MiHIN Conceptual Architecture



MiHIN
Privacy and Security Sub Work Group
Charter

DRAFT
January 4, 2010

Contents

MiHIN Vision (<i>Conduit to Care</i> , 2006)	3
Privacy and Security Sub Work Group (SWG) Mission	3
Privacy and Security SWG Membership.....	3
SWG Leadership	3
SWG Leadership – Roles and Responsibilities	3
Voting SWG Members.....	4
MiHIN Work Group Meetings – General Rules of Engagement	4
Open Meetings	4
Meeting Approach	4
Decision Making	5

MiHIN Vision (*Conduit to Care*, 2006)

The MiHIN will foster development of HIE that will reduce the overall cost of care while at the same time increasing the quality of care and patient safety.

Privacy and Security Sub Work Group (SWG) Mission

The Privacy and Security SWG, in coordination with the Technical Work Group, is tasked with developing a statewide approach to privacy and security policies, procedures, trust agreements, and noncompliance issues based on state and federal laws. This will include:

- Updating the privacy and security portions of the 2006 *Conduit to Care* report¹ as an input to the Strategic and Operational Plans
- Expanding upon the State of Michigan's Health Information and Privacy Collaborative (HISPC) work to include the Harmonization of Privacy Laws Collaborative and the Provider Education Collaborative
- Developing policies and procedures for "The 4 A's" (authorization, access, authentication, and audit) and breach
- Developing a "consent package": consent form, requirements, exceptions, "break the glass" exception criteria, public health reporting, data conversion, de-identification of data, sensitive health information, minors, etc.
- Working with the Technical Work Group to ensure that the Privacy and Security SWG's recommendations will be enabled by the Technical Work Group's health information exchange (HIE) architecture.²

Privacy and Security SWG Membership

SWG Leadership

- Chair: Margaret Marchak, J.D., Hall Render PLLC
- Facilitator: Kelly Coyle, J.D., MPH
- Facilitator: Linda McCardel, MPH
- Facilitator: Mike Gagnon, MiHIN Lead Technical Architect and President of Health Information Exchange Partners, LLC

SWG Leadership – Roles and Responsibilities

- Work with project facilitators to lead the successful completion of SWG deliverables as defined in the project plan within the specified timeframe
- Assign SWG members to specific tasks/deliverables

¹ Michigan Health Information Network (MiHIN), *Conduit to Care: Michigan's e-Health Initiative*, December 2006.

² The Technical Work Group will handle the technical aspects of "security," e.g., secure node and secure user transmission and system deployment. The Privacy and Security SWG will handle the *prescriptive* and *proscriptive* policy, procedure, and legal aspects of "security," which will feed into the Technical Work Group's deliberations.

- Assure balance of input from stakeholders to gather broad representation so that no one sector unduly influences the deliverables
- Appoint another representative from a similar stakeholder group (meeting minimum requirements) to fill a vacancy that occurs during the initial term
- Assure input from outside experts, advisors and vendors as needed to complete deliverables
- Serve as a full member of the SWG

Voting SWG Members

Broad stakeholder involvement is critical to the success of the MiHIN. All interested stakeholders are invited to participate in Privacy and Security SWG meetings. However, only Voting Members will be asked to develop consensus around key decisions, or to vote when consensus cannot be obtained within a reasonable amount of time. Using a broad, open, and transparent nomination and voting process, the eight Voting Members of the Privacy and Security SWG will be selected in the first half of January 2010 and will serve through April 15, 2010.

MiHIN Work Group Meetings – General Rules of Engagement

It is the intent of the State of Michigan to use an open and transparent process and to facilitate collaborative decision-making among broad stakeholders for key components of the MiHIN project. Toward this end, meetings will be conducted as follows:

Open Meetings

All meetings conducted by the Work Groups will be open to all interested stakeholders.

- Voting Work Group Members as well as interested stakeholders will review and discuss items to be refined prior to vote.
- A public comment period will be included at the end of each agenda and will be offered after each vote.
- When possible, discussion of a decision and the vote on a decision will take place one meeting apart.
- Agendas and documentation to be reviewed at each meeting will be posted to the MiHIN website and emailed to all workgroup members at least two days before each meeting.
- Approved meeting minutes will be posted within one week after each meeting.
- All workgroups will begin meeting face-to-face and will decide on alternative options like web-conference and teleconference for subsequent meetings.

Meeting Approach

Agenda items fall into three categories:

- Review only – enables Work Group members to become familiar with information and to ask and/or respond to questions to guide the development of future deliverables
- Review and refine – provides the opportunity for Work Group members to review a draft, comment, question, and direct iterations by other Work Groups, as necessary, before approving the final deliverable at a subsequent meeting
- Review and approve – aims for a decision (consensus or vote) on deliverables that either likely require minimal discussion or have already been reviewed and refined by the Work Group

Decision Making

When a vote is called, the following process will be followed:

- Only Voting Work Group Members are allowed to vote.
- A quorum of Voting Work Group Members must be present in order to vote.
- A majority vote rules.

When possible, items that require a vote will be clearly noted on the agenda.

Voting Ballot for MiHIN Privacy and Security Sub Work Group

Jeff Bontsas, St. John Health System: Regional HIPAA Security Officer

Moira Davenport-Ash, CEI Community Mental Health Authority: Clinical Records
Administrator, RHIA, CPHQ

Darell Dontje, MDIT: Office of Enterprise Security: IT Security and Architecture

John Hazewinkel, MSU: Project Manager

Vicky McPherson , MDIT Office of Enterprise Security

Chuck Dougherty, CEI CMH

Teresa Mulford; Attorney: MDCH Department of Legal Affairs

Mike Stines, Health Plan of Michigan: CIO	
Michael Tarn, WMU: Professor and Chair networking and security for higher education	
Denise Chrysler, Attorney, MDCH Public Health	
Helen Hill, Henry Ford Health Systems	
Gary Lacher, Spectrum Health	
Norbert Kugele	
George Goeble, Trinity Health System	
Melissa Markey, Hall Render-Health Law Attorney	
Jeanne Strickland, University of Michigan Health Systems	

Nancy Walker, Past MHIMA President, Beaumont Hospitals	
Deb Mosher, Capital Area RHIO	
Kurt Riegel, University of Michigan	
Kim Roberts, Sparrow Hospital	
Tosca Habel,	
Glen Lutz, Director Clinical System Ascension Health	
Troy Lane, UPHP	
Scott Alfree, Varnum Law	
Robert Haar, PhD Professor Fellow and Enterprise Architect, GM Information Systems & Services	

Vic Kheterpal, MD	
Carol Heinicke	
Guy Hembroff, Michigan Tech.	
C. Harlan Goodrish	
Mark La Cross, Privacy and Security Manager for Munson Medical Center in Traverse City	
Rose Young	
Cindy Seel, MSA, RHIS	

Recommendations for Roles of Privacy and Security Work Group Members:

1. Compliance Officer from a Hospital Setting (preferably from different settings- urban/rural)
2. Privacy Officer from a Hospital Setting
3. CIO from a Hospital Setting
4. Consumer Representative from a Medical/Disease Management Organization (such as the American Cancer Society)
5. Consumer Representative from Consumer Group (such as the ACLU)
6. Health Law Attorney(s)
7. Practitioner/Provider (with some EMR or HIE experience, if possible)
8. Health Insurance Compliance Officer
9. MDCH representative with Privacy experience (Privacy Officer or their representative)

10. Community Mental Health (Privacy or other compliance officer)

11. Public Health