

**Office for Health Policy & Research
Health Policy Commission
Electronic Health Records & Data Connectivity Subcommittee**

2005 Meeting Notes

January 13, 2005 4-6pm 800 NE Oregon St Room 120B, Portland

January 26, 2005 4-6pm 600 Grand Ave NE Room 275, Portland

February 8, 2005 4-6pm 600 Grand Ave NE Room 270, Portland

February 24, 2005 3-5pm 600 Grand Ave NE Room 270, Portland

EHR & Health Data Connectivity Subcommittee Meeting Notes
January 13, 2005
PSOB Room 120B
800 NE Oregon Street
Portland, Oregon

Roll call: Nancy Clarke, Bill Hersh, Mark Leavitt, Jody Pettit, Mike Wright

Others in attendance:

Kerry Barnett, Chair, Health Policy Commission

David Dorr, Asst-Prof, OHSU, Medical Informatics & Clinical Epidemiology

Jeff Keim, Regence Group

Staff in Attendance: Jessica van Diepen

I. Review completed member assignments

- Student interns to help administer survey: no one replied to announcement. Bill Hersh has approached Dr. Hawkins about participating; we will know soon

II. Feedback on report to Health Policy Commission – Kerry Barnett

- Commission is committed to seeing EHR workgroup project through to the end
- Commission currently focused on three areas:
 - 1) Track/promote health-related legislation
 - 2) Act as convener for reform (i.e. Commission will hear report from Governor's Taskforce on Mental Health at its January 20 meeting)
 - 3) Pursue specific reform initiatives: Transparency, Healthy Oregon Initiative (public health status around teeth (fluoridation), obesity, tobacco), experiments in Delivery System Models (role of safety net, how providers are organized across the state/within communities, reimbursement methodologies)
- Two near-term, attainable improvements to healthcare in Oregon:
Reduce Cost- revamp the reimbursement model
Quality- EHR & Connectivity

Discussion: What are the roles of the Health Policy Commission and the Legislature in EHR & Connectivity?

- There is great enthusiasm in government and in the private sector to see implementation of EHR & connectivity. Legislators and providers are inclined to mandate standards in order to 1) get the ball rolling and 2) protect providers against bad tech investment. Everyone present agrees this is a bad idea.
- The role of the Subcommittee and the Commission is: to lay out what the appropriate roles are for government and the private sector, and to make specific, data-supported recommendations of what to do and what *not* to do. To shape the discussion and guide progress around pitfalls. To educate the decision makers and investors who are not savvy in this area or who do not see the bigger picture.

- **Kerry Barnett-** Subcommittee may be most effective by 1) identifying & categorizing barriers 2) convening stakeholders to initiate dialogue and build relationships 3) establishing a pilot project (one LHIO). Funding is not the end-all solution, and it will come naturally once the groundwork is laid.

III. Feedback on report to Joint Legislative Committee on Information Management Technology

- Committee would like Jody to draft a “place-holder” bill by Tuesday, so it can respond to recommendations in the Subcommittee’s forthcoming report. The “relating to” clause will need to be crafted such that the bill can potentially be gutted and stuffed for EHR purposes but not parasitized by others late in the session

IV. What other states are doing (334) See Handout #1

Discussion:

- We will avoid the extreme solutions chosen in Hawaii and Minnesota; instead serve as a convener of community leaders and provide a detailed list of obstacles and solutions
- Jody wants to keep the spotlight on the patient “owning” her own health records. Mark suggests that in the current system, there is no remuneration for the cost of creating and storing the record and that the way to mollify the AMA and others about the transition to patient ownership of records is to build into the system a fee for record creation and storage

V. Finish detailed outline & begin drafting language for report to Commission (825) See Handout #2

Discussion: (883)

- While we are careful not to recommend the appropriation of new moneys for this effort, it is important that we point out the possibility of redirecting a significant amount of money that is currently being misspent (& provide supporting documentation of that misspending)

(Tape 1 Side B)

- The number and size of RHIO’s is still an open question; it is imperative that we convene stakeholders from across the state to meet one another and communicate their efforts and ideas

Adjournment: 6:08pm. Next meeting: Wednesday, January 26, 2005, 4-6pm

Assignments:

New:

Everyone will read the remainder of the draft report and email input to Nancy before the next meeting

Nancy Clark will edit first draft of report to Commission

Bill Hersh will write intro, background, “where we are now”, & barriers for adoption

Bill Hersh will assemble survey questions

Carried over from 12-16-04:

Dean Sittig & Mark Leavitt- identify sources of cost information

Bill Hersh, David Shute, and Nancy Clark – options for survey & data collection
Mike Wright, Jody Pettit, and Nancy Clark– work plan
Everyone – be prepared to develop detailed outline

Next Agenda:

- I. Review completed member assignments (cost information, survey/inventory)**
- II. Continue on recommendations & drafting language for report to Commission**

Handout #1: “Mission Statement of the HIMSS Integration & Interoperability Steering Committee, December 17, 2004”

Handout #2: “Final Report Outline: Draft Nov 8, 2004”

EHR & Health Data Connectivity Subcommittee Meeting Notes
January 26, 2005
Metro Building Room 275
600 NE Grand Ave
Portland, Oregon

Members Present: Jody Pettit, Nancy Clarke, Mark Leavitt, David Shute, Mike Wright

Members Excused: Bill Hersh, Dean Sittig

Guests:

Ron Jamtgaard "Metropolitan Alliance for the Common Good"

Mike Leahy, Oregon Community Health Information Network

Jeff Keim, The Regence Group

David Dorr, Asst-Prof, OHSU, Medical Informatics & Clinical Epidemiology

Staff: Jessica van Diepen, Health Policy Commission Assistant

Current & Future EHR-Related Legislation

- House Information Management & Technology Cmte is looking forward to presentation of March report
- State of WA legislation: SB 5064 Establishes advisory board to create plan for implementing EMR; supported by WA Hospital Assoc.
- John Christiansen, IT lawyer, suggests that OR add language about limiting liability for health systems in EMR exchange. Mark suggests that instituting severe penalties for malicious misuse by individuals would smooth the way for implementation of EMR, assuaging the fears of privacy advocates. There is consensus to not touch on this issue in the Report; it is too complex and too political
- Oregon HJR 4: establishes State's position encouraging & supporting telemedicine reimbursement
- Jody met with representative from Oregon Office of Telecommunications. Past SB 622) led to \$100 million spent on a fiber network infrastructure, which is now severely under-utilized; the rep suggested the possibility of hospitals transmitting large data files (i.e. digital images) through this existing dark fiber. David Dorr will include a brief mention of this and the overcapacity in the "Background" portion of the report. Jody will ask Jim Retzer (NW Access Network) & Kim Hoffman to craft a short explanatory paragraph on this for the report; David Shute asks if these people have any conflict of interest /anything to be gained financially, etc by weighing in; Jody says no, they are simply proponents of telemedicine and improved access; David Dorr suggests that we verify that this is true before including their material in the report

- Nancy asks if there should be a recommendation around physical infrastructure; there is consensus that that is too far down on the list of barriers and that it would be a distraction in the effort to get things moving
- Jody notes that we need to be very clear on what we mean by “connectivity”
- There is a place-holder in the House Information Management & Technology Cmte for future EHR legislation

I. Completed Member Assignments

David Dorr: Intro/Background

- -Issues plaguing system with regard to quality, safety, efficiency
- -Define Health Information Exchange & Interoperability
- -Benefits (source: recent paper from CITL with cost/benefit analysis)
- -Barriers (sources include Bill Hersh, recent issues of Health Affairs, HIMSS reports)
- Asks group for input on length; consensus that it should be as long as it needs to be and that an executive summary will be extracted from the finished report before it is presented to the Commission and the Legislature
- David offers to author the executive summary; Nancy remarks that it would be appropriate to designate another Subcommittee member to do it if he wants to delegate that task

Cost data

- David extrapolated Oregon implementation cost by calculating 1/100th of the national cost; this is year 2000 data, and there have been significant improvements in the industry in the ensuing four years, so this is a comfortable figure with possibly some wiggle room
- It is important to make it clear in the report that any cost savings will be spread across public/private sector and will not result in a pile of money left over in the State’s General Fund

II. Work session on wording of recommendations (Side A, 535-Side B, 840)

Notable Commentary

- Nathan Karman & Jonathan Ater will participate in a national conference call of attorneys regarding laws, regulations, legal impediments to EHR
- DEA is now moving to electronic records rather than triplicate carbon copy data; this will smooth the way for state-level progress
- We should catalogue existing incentive programs; we should acknowledge PEBB’s progress in this area, suggest new contract requirements and pursuit of grants, and give reasons why
- Recommend that PEBB & OMAP align their incentive programs with those of CMS; align State/Federal & State/private

- The future is in payment differentials wherein high-quality (standardized, electronic) data has a higher reimbursement rate than low-quality (paper/un-standardized electronic) data
- Recommend commission of annual EHR inventory; this will allow the above
- Scope of the recommendations: do we limit our recommendations to what the Legislature will certainly do, or do we include ideas that are probably a stretch? There is consensus that not only should we include more challenging recommendations for their own sake, we should include them in order for the Legislature to have a few to cross off and still get something accomplished
- Recommend an independent, “high-level” leader with limited staff to be an accountable entity reporting to Bruce Goldberg and the Health Policy Commission (ala David Brailer at the Federal level); an “HIT Coordinator”
- Recommend advisory board linked to OHPR to work with HIT coordinator
- Recommend that the State increase public awareness of EHR & portability, what it is, and why it’s important to them (A person in control of her health records will be in control of her health). Mike adds that outreach to employers, as purchasers, could have tremendous influence
- Recommend State coordinate with private-sector health care purchasers to leverage resources, such as pay-for-performance
- Apart from this report, Subcmte may recommend to the Governor a convening of Foundation leaders to discuss funding of some of this effort; get Oregon on the leading edge

Adjournment: 6:09pm. Next meeting: Tuesday, February 8, 2005, 4-6pm

Assignments

- Nancy Clarke will create a fresh draft of the report for circulation among Subcommittee members’ friends for review
- Bill Hersh will distribute his draft of the “Introduction” section to Subcommittee members to look over
- Quality Committee needs recommendations, if not full report, by Feb 17th

Next Meeting Agenda Items

- Discussion of any feedback from the public/friends/colleagues
- Discussion of final draft

**EHR & Health Data Connectivity Subcommittee Meeting Notes
February 8, 2005
Metro Building Room 270
600 NE Grand Ave
Portland, Oregon**

Members Present: Jody Pettit, Nancy Clarke, Bill Hersh, Dean Sittig, David Shute

Members Excused: Mike Wright, Mark Leavitt

Guests:

David Dorr, Asst-Prof, OHSU, Medical Informatics & Clinical Epidemiology
James Oliver, OHP, Health Care Safety Net Tracking

Staff: Gretchen Morley, Health Policy Commission, Director
Jessica van Diepen, Health Policy Commission Assistant

Work Session – March Report and Recommendations to the Joint Committee on Information Management & Technology

I. Review/Inclusion of Minnesota’s Recommendations (Side A 020- 650)

Discussion Points

- The State will have no role in operations/governance of RHIO’s
- Education: The State HIT Coordinator should coordinate with health training institutions & health practitioner leadership groups to increase understanding and skills in managing electronic health information
- Privacy: don’t recommend legislation. Patient Safety Commission not appropriate to tackle this. Recommend institution of “Health Information Technology Advisory Board” (HITAB) to oversee privacy issues. List privacy as second goal after access to personal health records

II. Review/Inclusion of Public Feedback (Side A 651-Side B 790)

Adjournment: 6:13pm.

Next meeting: Thursday, Feb 24, 3-5pm. Discussion of final draft.

Assignments

- **Nancy & Jody will collaborate on whether to incorporate edits from the last three email attachments not discussed by the group**
- **Jody will create report diagrams/schematics; Marc Overhage (Indiana Health Information Exchange) has slides that might be useful**

EHR & Health Data Connectivity Subcommittee Meeting Notes
February 24, 2005
Metro Building Room 270
600 NE Grand Ave
Portland, Oregon

Members Present: Jody Pettit, Nancy Clarke, Bill Hersh, Dean Sittig, Mark Leavitt, Mike Wright

Members Excused: David Shute

Guests:

David Dorr, Asst Prof, OHSU, Medical Informatics & Clinical Epidemiology
Ron Potrue, Greenfield Health
Mike Leahy, OCHIN

Staff:

Gretchen Morley, Health Policy Commission, Director
Jessica van Diepen, Health Policy Commission, Assistant

Call to order 3:13pm

I. Discussion of feedback from Commission on March Report to House Information Management & Technology Committee

- Commission would like the report to include a list of steps (action items)
- Rep. Greenlick made two observations: with regard to the opening page under “Goals”, change wording of “the State of Oregon should...” to “We would like to see a health care system with the following characteristics” and also that the report should clearly address the issue of privacy
- SB 541 – the EHR place-holder bill may need some re-wording to align it with the work of the Commission and others; the current version is very similar to a previous bill out of Kentucky

II. Discussion of final draft of Recommendations

- Add heading “Action Plan” to end of Recommendations section with bullets (a “check-list”) i.e. appoint state leader with staff to assist coordination of Oregon private sector activities, appoint high-level advisory Committee to provide state leadership, implement pilot projects, convene quarterly working sessions of EHR projects in the field, prepare and disseminate information to help the public understand EHR and connectivity issues, conduct cost study (analyze the compendium of existing studies and “separate the wheat from the chaff”), conduct state-wide EHR/connectivity inventory
- In page 1, goal #2, delete “confidential”
- Add heading “Education & Training”
- Nancy asks if recommending a health IT coordinator will cause concern among telemedicine proponents and efforts. There is consensus that the telemedicine

leaders in Oregon have reviewed the report draft and are supportive of the subcommittee's efforts.

- Kim Hoffman's Telemedicine work group at OHSU is also preparing an EHR-related report to the Legislature, and would like to compare notes before the presentations to make sure there are no conflicts

Discussion of Intro/Background

- PowerPoint presentation out of Rhode Island has a format that may be a good template
- Dean Sittig has slides Jody might find useful
- Take out any acronyms and spell out the words
- Final layout should be Table of Contents, 1 page summary, Intro/Background, Recommendations
- Privacy concerns: address this in the first paragraph, emphasizing that electronic records will be more secure and make it possible to track who is accessing them

Next Steps

- **Add today's edits to the current drafts; create a Table of Contents, a section on Subcommittee history (provide context for report), & the Executive Summary**
- **Distribute to members for final approval**
- **March presentation of report to House Cmte on Information Management & Technology**
- **Decide on future existence/tasks of Subcommittee. This will be addressed by the Transparency Work Group and Senate Bill 541**

Assignments:

- **Jessica – email members the link to text of SB 541**

Adjourned 4:41pm