

# **MINUTES**

**Massachusetts Health Information Technology Council  
Meeting  
March 30, 2009  
3:30 – 5:00 pm**

**Matta Conference Room  
One Ashburton Place  
Boston, Massachusetts**

## DRAFT MINUTES

### MASSACHUSETTS HEALTH INFORMATION TECHNOLOGY COUNCIL

March 30, 2009

Attendees:

Council Members	JudyAnn Bigby, MD - <i>(Chair) Secretary of Health and Human Services</i> Tom Dehner - <i>Director of Medicaid</i> Deborah Adair - <i>Director of Health Information Services / Privacy Officer at Massachusetts General Hospital</i> Karen Bell, MD - <i>Senior Vice President of HIT Service at Masspro</i> David S. Szabo - <i>Partner with Nutter, McClennen &amp; Fish, LLP</i> Lisa Fenichel, M.P.H. - <i>E-Health Consumer Advocate at Health Care For All of Massachusetts</i>
Other	David Martin (EOHHS) Adam Delmolino (Massachusetts Hospital Association) Foster Kerrison Rebecca Kasier (Partners) Michael Jackson 2 individuals – did not get contact information
MTC Staff	Mitch Adams Glen Comiso Bethany Gilboard Judy Silva Barbara-Jo Thompson David O'Brien

The fourth meeting of the Massachusetts Health Information Technology Council was held on March 30, 2009, in the Matta Conference Room at One Ashburton Place in Boston, Massachusetts.

Secretary Bigby called the Meeting to order at 3:38 p.m.

Secretary Bigby announced that Dr. Howard Koh has resigned from the council. Dr. Koh has been nominated to serve as Assistant Secretary for Health in the Department of Health and Human Services in Washington, DC.

## AGENDA ITEMS

### I. Review and Approve Minutes for 2/26 and 3/11

Everyone took time to glance over the printed minutes from the previous two meetings. David Martin mentioned that no one had the minutes prior to the meeting, so they may prefer to review them on their own time. Council members took a few moments to scan the minutes. It was unanimously agreed to approve the minutes at a future meeting.

### II. Discuss Stakeholder Meetings

Secretary Bigby drew attention to a list of dates and venues currently reserved for statewide public hearings on the federal stimulus legislation and Chapter 305. She explained that given the widespread acknowledgement of funds now available for HIT through the recently passed federal stimulus it is imperative the council make information available regarding the importance of leveraging the federal funds for our state. The Secretary further stated that we also need to provide a forum for providers, technology vendors, users and consumers who would have a stake in this, etc. to give the council feed back in order to insure their issues are addressed before we go forward to implement our program.

Secretary Bigby then asked Mitchell Adams if he could add additional information regarding these hearings. Mr. Adams explained that everyone is hungry for this information; these hearings will be extremely welcomed. He then asked the council members if we could get a sense of who can attend these meetings. The goal would be to insure we have a representative of the council in attendance. He explained that in the next few days the MeHI staff will follow up to get a sense of who will attend, what should be included, and other thoughts.

Judy Silvia asked the council members to take note of the date April 27<sup>th</sup>. This day is currently planned in Boston and the focus will be on Public Health Issues.

Dr. Bell asked if any of the hearings could occur after “practice hours”. The Secretary agreed this was a good idea.

Secretary Bigby explained that we would put questions out to the audience and also solicit questions, why we are having meetings and what we wish to accomplish. We will be certain to reference the HITECH Act and Chapter 305 and our wish to synchronize with the federal standards

Dr. Bell asked what the council would plan to do with questions. She believed that we should indicate that we do not plan to say we have all the answers, but our goal would be to find out what the questions are and what the focus should be.

Mr. Adams explained that we would want to see what the concerns are, but basically the format is to receive testimony.

Mr. Szabo asked if there is information we wish to solicit, and stressed that we would need to be explicit. He commented that he was glad all the hearings were scheduled in one month. He emphasized that the council needs to keep making progress, what we should solicit from the audience is that we need to hear about concerns, what information they need, what are the various needs they have as planners, etc. We are sure they will tell us stuff we were not anticipating hearing.

Ms. Fenichel said the folks on the ground, and the experience so far, and the challenges they see forthcoming may be different than those running from a distance.

Secretary Bigby told the council that someone would be in touch with them about which hearings they would be able to attend. Then once we know we have a council member to represent each meeting, then we can start advertising and letting the public know the dates.

Lisa Fenichel asked if someone would be present to take notes, Judy Silvia explained that MeHI will staff the hearings.

### III. Letter to Providers

Secretary Bigby mentioned that we wanted to give providers a context to be aware of before they go out and sign up with the first vendor that arrives on their door step. She then walked through a brief summary of what was in the letter. (Attached to minutes) We will send the letter out with hearings dates and a description of the HIT council and MeHI.

Dave Szabo asked for clarity. Some of the things mentioned, i.e. grants and loans, the federal stimulus, etc. we say we are going to do it which seems to imply we can't do it until there are federal funds. We need to get the word out that help is coming, that we are aware of their confusion. We don't want providers to make errors; our goal is to get information out there.

Secretary Bigby stated that she did understand, and we can say that we can be a central resource for providers. We want to make sure they understand they have to invest first, then are reimbursed and that there may be funds for providers that do not have the money to invest, but that can still be competitive in regards to the federal money.

Dave Szabo explained that is part of the dilemma. Who needs it most? If we wait for the Federal Government, we might wait too long.

Mitchell was asked to address this concern. He explained that there is a study now, which helps us make a judgment of who needs it most. MTC did a study two years ago but the world has changed. The loan program won't be available till 2010, but there is hope it may hit around that time, and that it might be available as early as January. We need to get as much in place as possible, in case it does become available that early. However, the feds did not give a hint of when they will make this money available.

Secretary Bigby explained that there will be more clarity once Governor Sebelius is confirmed as Secretary.

Mr. Dehner referring to the letter stated that he finds himself a bit confused. There are two places where we speak of a regional extension facility. Then on page 3 there is another reference. It does not seem consistent. It may need more clarity. Then he also asked if the HITECH Act is funding this facility?

The Secretary asked Mr. Dehner for clarity on his question. He added, the legislation “establishes” in one section, then in another section it states that MeHI and counsel, are going to “establish.”

Dave Szabo suggested maybe changing the verbiage so that it does not appear to be conflicting. He mentioned he saw the same conflict.

Tom Dehner went on to explain that he was surprised, on the bottom of page 2 on the bullet about “meaningful use”. Mr. Adams agreed that the sentence needs to be re-worded as it is very unclear.

Secretary Bigby explained that the Federal Office of Health and Human Services will define “meaningful use”, but we know that the state will implement, or have a platform on which there will be “meaningful use.”

Mr. Dehner then mentioned that the reason for hearings is to inform folks what HIT is, and the technology and the definition on page 3.

Dr. Bell added that on page 3, we should add e-prescribing, and also the systems have to have quality measurement data.

Lisa Fenichel mentioned that there should be a definition of what quality information is.

Secretary Bigby pointed out that the key is they have to be able to record it, whatever the definition is.

Mr. Adams explained that staff would work on changing those things.

#### IV. Update on R.F.I. and Search for Director of MeHI

Secretary Bigby asked Mr. Adams to give an update on the R.F.I.

He explained that in the summer MTC did a competitive search to secure consultants and what the goal is now to expand the list of approved consultants we would work with.

The goal would be that when the hearings are complete in April, we would like to put together consulting help by mid April to start defining a plan from information received at the hearings.

Secretary Bigby pointed out that in today's packet there is a time line.

Mitchell Adams asked for council members to let him know by Wednesday morning, if they have any ideas of consulting firms, or individuals that should see the R.F.I. MTC has a list, but the longer the list the better.

The MeHI staff has put together a draft job description for the Director of MeHI. This search has less of a time pressure, but we would like input. This is a person, as Chapter 305 requires, that would be reporting to Mr. Adams but the recruitment process would be shared with the Secretary's office and the council. He asked that the council give input in about a week or so, if they would like to see anything different. If there are people we should know about, let us know, so we can put them in the hat, there is not a leading party.

Dave Szabo asked about the R.F.I. Looking at page 4, he was wondering what would be a realistic time frame for soliciting the consultant.

Mitchell Adams explained that what they have found is they can have a turn around in 4- 5 weeks, not more than 6, and less than four is not possible to achieve. In summer 2008, MTC met their goal, except they allowed interested parties to extend their response time for another week. (originally they had asked for 2 weeks to deliver a proposal).

We are going to want to do some serious thinking and planning when the hearings are done. We would want to have a consultant in place by then.

Mr. Dehner asked regarding supplemental plans. Mr. Adams explained that everything we learn from the hearings, there is going to be a "big stack" to give to the consultants.

Tom Dehner asked if the RFI had such language requiring the consultant to go through the "stacks" of hearing testimony and to summarize the data.

Judy Silvia explained, that there is language in the R.F.I. specifically on that matter +but if there was a need for more specific language that could be done.

Secretary Bigby added that there should be a requirement that there be a balance between knowing a lot about HIT and being a good project manager and getting things done. We should be assured we would not have someone that would lead us down the wrong path. They would need to be managing and organizing and have a lot of things going on and still get to an outcome and implementing a plan.

Mitchell Adams agreed and commented that they could modify the R.F.I.

Dr. Bell asked if we receive input that is not from public hearing, can they still give input.

Secretary Bigby answered, yes, in fact that is included in Chapter 305.

Dr. Bell asked where the comments should go, to Mr. Adams, to the Secretary or to the group. Mr. Adams replied it would be up to the council, would everyone like to see everything. He explained that there is a standard, when communicating with David Martin and Terry Dougherty, we reply to everyone. Dr. Bell explained that she would like to see what others are thinking, Mr. Szabo added, as long as we are not having virtual meetings over the internet.

## V. Discussion and Next Steps

Lisa Fenichel mentioned she would like to have a meeting at Healthcare for all – is that something the council would consider? Secretary Bigby responded that we don't have a problem with that.

Secretary Bigby Recapped what everyone's deliverables would be:

- Get comments to Mitchell Adams before Wednesday on the RFI
- Sign up for some of the hearings.
- A packet will be put together of what we are looking for and highlight Chapter 305

Lisa Fenichel asked for clarification regarding the role of the council at the hearings.

Secretary Bigby explained that we would like the council to welcome the attendees, to inform them that you represent the council; someone will need to moderate the session if she is not in attendance, and to staff the hearing.

Mr. Dehner also asked about staffing, and Deb Adair asked if it was ok to attend one than one hearing.

Secretary Bigby explained, if you can attend all the hearings, that would be best. But we will need at least one person to chair.

Tom Dehner added that as council members, we need to step up to the plate and meet our obligations.

Dave Szabo stated that Ms. Fenichel's question, made him think about Health Information exchange. What is the right way to get their views. These folks have worked hard in their organizations, how do we get that wealth of knowledge?

Secretary Bigby stated that we could invite folks to attend April 15th to present to the council, and share the information they have found. We have a list of dates of meetings, if there were folks (she named examples) we could invite them to present to the council.

Ms. Adair asked how we should approach individuals to get them to attend the meetings. She could talk to John Glaser but should the request come from the Secretary. It was agreed that the request should come from Secretary Bigby.

Tom Dehner added that this is an insider's game, and we could all make a short list of folks we want to hear from that are prominent players.

Dave Szabo asked to find a new date for presenters – but not April 15th.

Secretary Bigby stated that getting input from known experts, is a great idea in fact chapter 305 specifies it.

Secretary Bigby then asked for questions.

Deb Adair asked if summary of Chapter 305 would go out before the hearings, or go out at the hearings. Would it gather more questions? How much information could we get to folks before the meetings? Mr. Adams thought that was a great idea. He will get his staff working to take a stab at questions and show it to the council, etc. prior to the hearings.

Secretary Bigby added that it would be good to get some of this material out to folk on a web site. Mr. Adams responded that they were ready to set up a MeHI website. Everyone agreed this is a great idea.

#### VI. Schedule for meetings through September.

Secretary Bigby pointed out that there was a list of council meetings that have been set through September.

Meeting adjourned 4:25.