The following comments were made in the Zoom chat log by Stakeholder Advisory Group Members and the public during the March 3rd virtual meeting:

10:41:41 From claudia williams to Everyone:

Jonah - related to my question could you please share the timeline and process for sharing the DSA with this group for review and comment?

10:44:13 From Kevin McAvey to Everyone:

Thanks for asking the question, Claudia. Slide 45 of the deck notes formal DSA review by the AG on May 18th, though we anticipate continuing to have DSA updates at each meeting, and encourage all AG members to please join DSA meetings and provide early comment on materials (slide 42).

10:46:53 From claudia williams to Everyone:

Thanks Kevin!

10:50:01 From Andrew Kiefer to Everyone:

Blue Shield agrees with the need for state level governance for the issue raised by Mr. Baachi, Dr. Hernandez and others. This agreement while similar to others efforts will be unique and more ambitious and will necessitate state leadership and enforcement.

10:52:25 From Andrew Bindman to Hosts and panelists:

I support the sentiment of what Sandra raised. The status quo is not adequate but given the leadership the federal government is playing with TEFCA the creation of state governance and process that is not aligned with TEFCA will be a missed opportunity that can create redundancy, inefficiency and frustration. The key issue is to identify what our state needs to do to meet our needs that won't be solved by TEFCA. Establishing governance independent of our fully understanding what TEFCA for us introduces risk that we have seen in other realms such as the world of quality assessment where there are too many masters that can create noise and lost signals on how to achieve goals together.

10:58:51 From claudia williams to Everyone:

We need to get clear about the difference between "network governance" and governance of data sharing requirements. TEFCA is a network. Most other states have specific networks that are selected and governed. AB 133 does not establish a specific network. It puts in place data sharing requirements. The selection and oversight of qualified intermediaries is a "network governance" function

10:59:40 From David Ford to Everyone:

@Erica - Thank you. That was my point earlier.

11:00:55 From claudia williams to Everyone:

I agree @Erica. I think by definition it is a hybrid approach. We need governance over data sharing requirements that include all affected parties. We need governance of actual networks when it comes to selected qualified intermediaries

11:01:42 From Cathy Senderling-McDonald to Everyone:

CWDA will submit comments on the six aspects provided on the prior slide. Recall that the inclusion of county human services agencies in the process is under a different paragraph in the law, and is "to the extent possible," and under an intent statement. So, some tweaks are likely necessary to that part of the presentation. This may also be the case for the other listed entities in (e) of the section, we will coordinate with county health and public health on the comments to the extent possible. Thank you.

11:05:33 From Lori Hack to Hosts and panelists:

This group should use its collective expertise to devise a recommendation on the "How" of data exchange governance so that we can use the wisdom and experience to provide the best solutions.

11:09:26 From claudia williams to Everyone:

I love that example and would love to learn more. But I do think that CC is governing an actual tangible marketplace and product. Whereas this is something much more amorphous or maybe high level designating a set of requirements. Maybe we can abstract the CC model for what is needed here, taking the pieces and evolving to the needs of AB 133

11:10:42 From Mark Savage to Everyone:

+1 to Sandra's comment on consumer participation and input in governance and the major contributions it makes to success and trust.

11:13:02 From claudia williams to Everyone:

+1 on this function of harmonization of laws, so long as the governance body advances recommendations and the state takes needed leadership in drafting and advancing legislation

11:13:35 From Kevin McAvey to Everyone:

Thank you all for the terrific discussion, informed by valuable lived experience. Please note that we are welcoming any written feedback you have by March 10th. As always, if your can make your input as specific as possible about potential changes to the straw-model - e.g., additional or alternative language or structures - it would be most helpful.

11:14:59 From Andrew Bindman to Hosts and panelists:

I strongly support item #1 and wonder if item #2 might introduce conflicts with that goal.

11:15:37 From Kevin McAvey to Everyone:

Thank you, Andrew Bindman, for commenting: "I strongly support item #1 and wonder if item #2 might introduce conflicts with that goal."

11:16:05 From Kevin McAvey to Hosts and panelists:

Thank you all for using the chat. Friendly reminder: if you can select "To: Everyone" it will ensure the public gets to hear your valuable feedback. Thank you!

11:17:20 From Cathy Senderling-McDonald to Everyone:

@Andrew I think they are not necessarily the same, but need to be well explicated. For example, county HS agencies collect a lot of PII from clients who are applying for benefits and we are limited in our use of those details to only activities related to eligibility determination for the programs we administer. Our treatment of those data are separately governed by certain privacy requirements. So use and privacy are related, but technically separate concepts or requirements/constraints. There are probably health examples, I just am sharing one that I am most familiar with from the HS world. Thanks!

11:17:49 From Linnea Koopmans to Hosts and panelists:

I missed much of the earlier conversation, so apologies if this was already answered, but I believe the question around authority came up. Can you confirm that while this group will be making recommendations about what governance should look like, additional authority would be needed to actually establish a governance structure?

11:18:03 From claudia williams to Everyone:

@Kevin - thanks for the update that the advisory group will review the DSA and policies at the May 18 meeting (slide 45). Am I reading the timeline right that the advisory group will have between May 18 and June 23 to review and provide written comments on the documents and will then discuss our comments at the June 23 meeting?

11:18:58 From Cathy Senderling-McDonald to Everyone:

Regarding Item 3 on slide 25, we have obligations under existing law and regulations to make notification of certain adverse events, so ensuring that existing requirements are not usurped here is important.

11:22:06 From Lori Hack to Everyone:

Jonah's point is well taken on oversight of HIEs which currently doesn't exist except through high level agreements with CTEN, non-signatories to that are not covered

11:24:32 From claudia williams to Everyone:

I think the government should monitor compliance and be accountable for enforcement of the data sharing agreement and not the governance body. The breach requirements is really only relevant in network governance. God forbid we create a requirement for all entities to announce breaches to each other that are different and go beyond HIPAA

11:25:40 From Cathy Senderling-McDonald to Everyone:

In item 5 on slide 26, is it truly envisioned that this new oversight structure would govern existing requirements that may have chains of oversight now? Again, coming at this from the perspective of stewards of significant amounts of data that we currently have requirements and structures in place to govern. Thanks.'

11:25:55 From DeeAnne McCallin (CPCA) to Everyone:

@Erica, agree

11:28:01 From DeeAnne McCallin (CPCA) to Everyone:

I heard this the other day: "OIG is expected to finally announce the penalty structure for info blocking next month"

11:28:06 From Kevin McAvey to Everyone:

Claudia - Thank you for asking. I would encourage AG members to provide as much feedback on the developing DxF and DxF DSA as possible as material is released and discussed. We expect the AG will discuss and advise CalHHS on the DxF and the DxF DSA, writ large, on May 18th and June 23rd; those dates do not necessarily indicate "review period" start and end dates. We will be providing more specific guidance on the (likely) rapid review period later, so teams can hold time. Thank you for all of the input you/Mx have provided to date.

11:29:42 From Liz Gibboney to Everyone:

Whether or not it's the scope of this advisory group, many regulatory agencies already have responsibility for enforcement of the many participating entities (hospitals, counties, plans, etc), so we need to be cautious about duplicative or contradictory regulation. Thanks.

11:29:48 From Andrew Bindman to Everyone:

We should have principles for what we are trying to accomplish in governance, assess the degree to which federal law will attend to our principles and then identify what unique/added role the state needs to play. Having this discussion before we have had the deep dive on the federal law has created a bit of the cart before the horse.

11:29:53 From claudia williams to Everyone:

@kevin - we really need to be able to see the agreement in its entirety along with the policies to provide meaningful feedback. It would be hugely helpful to have a date on when we will see the whole, and at least a week to provide written feedback

11:34:31 From Lori Hack to Everyone:

funding not only for small providers but small state and county agencies and a coordination of these agencies with each other.

11:36:27 From Lori Hack to Everyone:

@cameron exactly!

11:37:10 From Kevin McAvey to Everyone:

@claudia, I hear you, and wholly agree

11:43:58 From claudia williams to Everyone:

Fully support the selection and funding of qualified exchange intermediaries. I believe the data sharing requirements should include both query elements (querying for patient CCDA) and push elements (proactively sharing notifications based on ADTs. So networks would need to be able to support both functions

11:44:56 From Mark Savage to Everyone:

Communications and education are essential to trust!

11:46:10 From David Ford to Everyone:

In the interest of time, I'll leave a comment here that CMA strongly supports a robust education program and stands ready to work with the state in that effort.

11:46:42 From claudia williams to Everyone:

John and CHHS team: last meeting you indicated there would be a May revise budget proposal to provide HIE funding. Can you provide an update on that pls?

11:48:53 From Kiran Savage-Sangwan to Everyone:

Agree w/ Linette and would like to see more consumer-facing tasks in #9 (or elsewhere) including that the governance body should conduct outreach and research to understand consumer needs, use cases, and experiences (incl. challenges) with data sharing

11:49:26 From Lori Hack to Everyone:

The coordination of state and local government should be moved up in this list to a very high priority. This is critical for robust data sharing.

11:49:53 From David Ford to Everyone:

+1 to Claudia's question above about a potential May Revise proposal.

11:50:30 From DeeAnne McCallin (CPCA) to Everyone:

another +1 to May Revise question

11:51:04 From Lori Hack to Everyone:

@Matt agree!!

11:51:54 From Mark Savage to Everyone:

Better to start now, let ideas percolate.

11:52:22 From Linnea Koopmans to Hosts and panelists:

Inclusion of county entities is critical (and would be a big gap if they are not included), so really support ensuring this is a priority function

11:53:14 From Liz Gibboney to Everyone:

Agree with Linnea and to provide support in order for them to participate fully.

11:54:10 From Erica Murray to Everyone:

Yes agreed. Each county is structured differently so important not to have a one-size-fits-all for county participation.

11:54:20 From Kevin McAvey to Everyone:

Revised schedule (est): Public Comment to start at 11:57, and run until approximately 12:10pm. Digital ID, from 12:10 to 12:20pm. DSA update from 12:20pm

to 12:27pm. AG5 Follow-up + Close from 12:27 - 12:30pm. ONC presentation starts at 12:30pm.

11:54:29 From claudia williams to Everyone:

One note: this kind of structure needs substantial staffing. The advisory group would need staff support to help research and draft recommendations + meeting facilitation etc. Having led FACA groups for the federal government, and observing the work of this group, the groups will only be effective if appropriately resourced.

11:54:37 From DeeAnne McCallin (CPCA) to Everyone:

minor in grand scheme of things but why not Committees as opposed to Subcommittees?

11:56:37 From claudia williams to Everyone:

@ Erica - great points

11:57:10 From Liz Gibboney to Everyone:

Yes…agree with Jonah's assignment!

12:05:03 From Kevin McAvey to Everyone:

After the conclusion of the Public Comment period, we will be turning to Digital Identities Strategy update and discussion. We would very much appreciate active AG input on this topic during today's meeting, and after today's meeting, in written comment.

12:05:55 From claudia williams to Everyone:

Hi everyone - due to potential conflict I will be recusing from the digital identities discussion. Will be back engaged when that discussion is over

12:12:51 From Mark Savage to Everyone:

There is important work on digital identity going on beyond USCDI v1. For example, USCDI v3, where the Interoperability Standards Workgroup is considering alignment with Project US@ on address standards.

12:14:42 From Rim Cothren to Everyone:

Thanks, Liz.

12:16:26 From Rim Cothren to Everyone:

Thanks @Mark for mentioning the address standards. Focus group members have discussed use of standards as well.

12:17:38 From Cathy Senderling-McDonald to Everyone:

Use cases are a great idea here.

12:18:30 From Kevin McAvey to Everyone:

Any other AG Member comments on this important issue?

12:18:48 From Jonah Frohlich (he/him) to Hosts and panelists:

@Andrew Bindman: would you be willing to share more information about the digital identity pilot you mentioned with us, and role Kaiser is playing in participating?

12:18:53 From Kevin McAvey to Everyone:

Written comments requested as soon as possible (ideally by ~March 15th)

12:20:06 From Kevin McAvey to Everyone:

Jonah Frohlich, raised the question: @Andrew Bindman: would you be willing to share more information about the digital identity pilot you mentioned with us, and role Kaiser is playing in participating?

12:21:39 From claudia williams to Everyone:

Imposing a minimum necessary standard on treatment uses is potentially hugely disruptive and is out of alignment with both TEFCA (which defaults to HIPAA) and policies of national networks. I would be very wary of making decisions that are not aligned with HIPAA

12:21:48 From Kevin McAvey to Everyone:

Please find all DSA language at: https://www.chhs.ca.gov/data-exchange-framework/#data-sharing-agreement-subcommittee-2022-meeting-materials

12:22:00 From Kevin McAvey to Everyone:

Written comments greatly appreciated.

12:23:46 From Kevin McAvey to Everyone:

Red-line changes available here: https://www.chhs.ca.gov/wp-content/uploads/2022/02/CalHHS_DxF-Standards-Provider-Identity-Consumer-Access-Opportunity-Updates_021522.pdf

12:23:47 From Andrew Bindman to Everyone:

@Jonah: Yes - we are very happy to share about the CARIN Alliance consumer identity project being done for ONC, our role and the learnings that come from it. Perhaps I can brief you offline and then work with you about how to best share back with this group and the public.

12:24:19 From Kevin McAvey to Everyone:

Written comments on proposed changes welcome by March 10th

12:24:31 From Kevin McAvey to Everyone:

Along with written comments on the governance material discussed today

12:25:38 From Jonah Frohlich (he/him) to Everyone:

@ Andrew Bindman: thank you, I and would welcome that briefing, with Rim included.

12:26:18 From Kevin McAvey to Everyone:

Future BCPs will be posted when public at https://esd.dof.ca.gov/dofpublic/viewBcp.html

12:26:29 From Kevin McAvey to Everyone:

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12:50:08 From Kevin McAvey to Everyone:

For reference, per AB133: "(1) The California Health and Human Services Data Exchange Framework is not intended to be an information technology system or single repository of data, rather it is technology agnostic and is a collection of organizations

that are required to share health information using national standards and a common set of policies in order to improve the health outcomes of the individuals they serve."
12:58:46 From DeeAnne McCallin (CPCA) to Everyone:

@DavidFord's mention of EHR Vendors, good point about their role in TEFCA. How they play with CalAIM is something we are just starting to look into. EHR Vendors are important to the DxF AG's work and other initiatives & mandates.