California Health & Human Services Agency
Center for Data Insights and Innovation
Data Exchange Framework Stakeholder Advisory Group
Meeting Summary
Thursday, April 7, 2022, 10:00 a.m. to 12:30 p.m.

Attendance

Stakeholder Advisory Group Members attending in-person: Jamie Almanza, Ashrith Amarnath, Charles Bacchi, Mark Beckley, Scott Christman, David Cowling, David Ford, Lori Hack, Sandra Hernandez, Brent Houser, Andrew Kiefer , DeeAnne McCallin, Ali Modaressi, Dana Moore, Nathan Nau, Janice O'Malley, Mark Savage, Kiran Savage-Sangwan, Cathy Senderling-McDonald, Jim Switzgable, Juliana Vignalats, Leslie Witten-Rood, William York

Stakeholder Advisory Group Members attending remotely: Andrew Bindman, Carmela Coyle, Joe Diaz, Rahul Dhawan, Cameron Kaiser, Linnea Koopmans, David Lindeman, Amanda McAllister-Wallner, Erica Murray, Linette Scott, Claudia Williams

Stakeholder Advisory Group Staff and Presenters attending in-person: Dr. Rim Cothren (Independent HIE Consultant to CDII), Jonah Frohlich (Manatt Health Strategies), Dr. Mark Ghaly (CalHHS), John Ohanian (CalHHS/CDII), Elaine Scordakis (CalHHS/CDII), Khuoa Vang (CalHHS/CDII)

Stakeholder Advisory Group Staff attending remotely: Kevin McAvey (Manatt Health Strategies)

Public in attendance: approximately 127 public attendees joined this meeting via Zoom video conference or through call-in functionality.

Meeting Notes

Meeting notes elevate points made by presenters, Stakeholder Advisory Group Members, and public commenters during the Data Exchange Framework Stakeholder Advisory Group meeting. Notes may be revised to reflect public comment received in advance of the next Stakeholder Advisory Group meeting. Meeting materials, full video recording, transcription, and public comments may be found at:
https://www.chhs.ca.gov/data-exchange-framework/.

Welcome and Roll Call

John Ohanian, Chief Data Officer, California Health & Human Services, welcomed attendees and shared his excitement to be holding the first hybrid Stakeholder Advisory Group meeting where presenters, Stakeholder Advisory Group members, and members of the public were able to be present in-person.

John offered a few remarks in remembrance of Patrick Kurlej, a Data Sharing Agreement Subcommittee member who passed away. Patrick was a friendly, passionate, and dedicated member of California's health data community; he will be missed, but all Californians are better for his contributions.

Stakeholder Advisory Group Members were named and introduced via roll call.

Vision and Meeting Objectives
Dr. Mark Ghaly, Secretary, CalHHS, thanked Stakeholder Advisory Group Members and public attendees for their continued engagement in the Data Exchange Framework development process.

Dr. Ghaly reviewed the vision for data exchange in California and emphasized that the goal is ultimately about improving the health and wellbeing of Californians. He reiterated that the Data Exchange Framework will be technology agnostic; it will not mandate the creation of a single, statewide data "repository," and it will not recommend any specific technological solution.

Dr. Ghaly reviewed language included in AB-133 that describes the shortcomings of data exchange in California and emphasized why governance with strong state leadership and stakeholder participation is needed to ensure we advance system change while maintaining public transparency and accountability. He emphasized the need for California needed to build on national efforts, such as the Trusted Exchange Framework and Common Agreement (TEFCA), to advance data exchange throughout the state. Dr. Ghaly concluded by describing the governance model recommendation and implementation approach, under which the Data Exchange Framework would launch on July 1, 2022 with CDII managing and overseeing all aspects of governance, and, through new statute, a HIE Policy Board with an oversight role would be established in January 2023.

Considering a Potential Model for Governance
Jonah Frohlich, Senior Managing Director, Manatt Health Strategies, recapped the discussion on governance that occurred during the previous Stakeholder Advisory Group meeting. He reviewed the updates to the governance functions that CalHHS made based on member input, and he acknowledged that there were differing perspectives on the form the Data Exchange Framework governance model should take.

Jonah described the governance model recommendation and implementation approach and provided examples of other governance models from California (California Emergency Medical Services Authority (CalEMSA) & Covered California) and from health information exchange networks in other states (e.g., Maryland, Michigan, New York). He concluded by reviewing four discussion questions for which Stakeholder Advisory Group Member input was being requested:

- Is additional rulemaking authority needed beyond the contracting authority granted under AB133?
- What should the scope of powers of a governance entity be?
- What are the right attributes of Policy Board members?
- Should Policy Board members subject to strict conflict of interest policies?

There was general support among Stakeholder Advisory Group Members for establishing Data Exchange Framework governance, though several members noted reservations about duplicative regulatory authority and over-regulation, particularly for smaller providers, and the potential for misalignment with federal requirements. Perspectives diverged on whether governance should rest exclusively within CalHHS or be shared with an external HIE Policy Board. Members favoring the establishment of a HIE Policy Board cited the value of its independence to advance meaningful reforms, not be subject to the priorities of a single administration, and to garner public trust and incorporate input from a broad segment of stakeholders. Members favoring the preservation of CalHHS-authority cited potential legislation-related delays as a detractor from pursuing a HIE Policy Board.

Other Stakeholder Advisory Group Member feedback on governance included:

- Include a formal role for consumers in the governance structure.
- Support for strong conflict of interest policies for HIE Policy Board members.
- Clarify how "success" was defined in evaluating the data exchange governance models in other states.
- Consider establishing a state health information network that helps move data between existing networks.

Potential Opportunities: Regulatory and Policy

Jonah Frohlich provided a brief overview of the potential opportunities to address regulatory and policy gaps and asked Stakeholder Advisory Group Members to provide written feedback in advance of the next meeting.

Public Comment

John Ohanian opened the meeting to public comment, which included:[1]
- Jerry Hall, CivicMapping.com, thanked the Stakeholder Advisory Group and CalHHS for their work in advancing the Data Exchange Framework. Jerry emphasized the importance of continuing to protect individuals' data and ensure various entities have the right level of access. He supported including a formal role for consumers in the governance structure, and asked CalHHS and the Stakeholder Advisory Group to consider instituting a "sunset period" of five years

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[1] Name spelling approximated based on verbal statements.

on the governance structure, after which the structure would be reviewed and improved.

- John Helvey, SacValley MedShare, thanked the Stakeholder Advisory Group and CalHHS for their work in advancing the Data Exchange Framework. John encouraged CalHHS and the Stakeholder Advisory Group to revisit and consider opportunities for revising California law that governs data exchange, such as the California Medical Information Act.

Digital Identity Strategy Update

Dr. Rim Cothren, Independent HIE Consultant to CDII, reviewed the statutory requirements and methodology for developing the Digital Identity Strategy, including how the Data Exchange Framework Guiding Principles supported the development process. Dr. Cothren provided an:

- Overview of definitions and national initiatives that were relevant to the Digital Identity Strategy.
- The purpose of the Digital Identity Strategy, the definition of "Digital Identity", and the proposed approach for adopting and developing standards for digital identity attributes.
- The uses of digital identities and the safeguards that will ensure that the appropriate individuals are using digital identities for specified purposes.
- The purpose, considerations, and uses for a Statewide Person Index and concepts that are related to, but not included in, the Digital Identity Strategy.

Dr. Cothren acknowledged that implementing the Digital Identity Strategy may initially increase burden on stakeholders, but would provide long-term benefits to all. He proposed several strategies to mitigate short-term costs.

Dr. Cothren concluded by summarizing and describing next steps for the Digital Identity Strategy. He asked the Stakeholder Advisory Group to provide input on the following discussion questions and requested comments by April 15th:

- Is this an appropriate first step?
- Is there value in specifying attributes in the absence of a statewide index?
- Must we adopt national standards even if they don't meet our needs?
- Should the state operate the statewide index (if created)?

Stakeholder Advisory Group member feedback on the Digital Identity Strategy included:

- General support for the Digital Identity Strategy, as outlined, and for allowing individuals to access information about their digital identity. There was also support for specifying a common set of digital identity attributes as well as the standards that will be used to do so.
- Ensure that the attributes that are included in the digital identity are evaluated for health equity implications (e.g., including address as one of the attributes may have implications for people without an address).

- Consider revisiting decision not to allow demographic information included in digital identities to be used to stratify populations for analysis since such information could be particularly beneficial for identifying disparities and for other public health initiatives.
- Consider including an estimate of the level of confidence that a digital identity correctly identifies a real person based on the number of individuals with overlapping attributes (e.g., name, date of birth, zip code) that are used as inputs for a digital identity.
- Consider the potential financial burden of implementing the digital identity strategy on safety-net providers and whether there are funding opportunities to defray those costs.
- Request for detail on who participated in the social services focus group.

Data Sharing Agreement Subcommittee Update

John Ohanian noted that Jennifer Schwartz, who has been leading the development of the Data Sharing Agreement, was unable to join today and he would provide the update on the Data Sharing Agreement Subcommittee's activities. John reviewed the topics that were covered during the fifth Data Sharing Agreement Subcommittee meeting (materials from Data Sharing Agreement Subcommittee meetings can be found at: https://www.chhs.ca.gov/data-exchange-framework/). He also described the approach for developing and distinct purposes of the Data Sharing Agreement and the Policies and Procedures. John concluded by reviewing key milestones for the Data Sharing Agreement and Policies and Procedures, and he noted that a draft of the Data Sharing Agreement as well as an initial set of Policies and Procedures would be discussed by the Data Sharing Agreement Subcommittee on April 26 and by the Stakeholder Advisory Group during their next meeting on May 18th.

Stakeholder Advisory Group Members feedback on the Data Sharing Agreement Subcommittee update included:

- Request to release drafts of the DSA & initial set of Policies and Procedures as soon as possible to allow for Stakeholder Advisory Group Members to coordinate legal review.

Closing Remarks

John Ohanian reviewed project next steps and noted that the next Stakeholder Advisory Group meeting is scheduled for May 18th.

Dr. Mark Ghaly emphasized the importance of the opportunity presented by the Data Exchange Framework and thanked the Stakeholder Advisory Group for their continued efforts.

Appendix 1. Data Exchange Framework Stakeholder Advisory Group Member - Meeting Attendance (April 7, 2022)

Last Name	First Name	Title	Organization	Designee For	Present
Ghaly	Mark	Secretary (Chair)	California Health and Human Services Agency	N/A	Yes
Almanza	Jamie	CEO	Bay Area Community Services	N/A	Yes
Amarnath	Ashrith	Medical Director	California Health Benefit Exchange	N/A	Yes
Bacchi	Charles	President and CEO	California Association of Health Plans	N/A	Yes
Beckley	Mark	Chief Deputy Director	Department of Aging	N/A	Yes
Bindman	Andrew	Executive Vice President; Chief Medical Officer	Kaiser Foundation Health Plan, Inc. and Hospitals	Adams	Yes
Cabrera	Michelle Doty	Executive Director	County Behavioral Health Directors Association of California	N/A	No
Christman	Scott	Chief Deputy Director	Department of Health Care Access and Information	N/A	Yes
Cowling	David	Chief, Center for Information	California Public Employees' Retirement System	N/A	Yes
Coyle	Carmela	President and CEO	California Hospital Association	N/A	Yes
Dhawan	Rahul	Associate Medical Director	MedPoint Management (representing America's Physician Groups)	Crane	Yes
Diaz	Joe	Senior Policy Director and Regional Director	California Association of Health Facilities	Cornett	No
Fisher	Kayte	Attorney	Department of Insurance	N/A	No
Ford	David	Vice President, Health Information Technology	California Medical Association	Corcoran	Yes
Gibboney	Liz	CEO	Partnership HealthPlan of California	N/A	No
Gibbons	Michelle	Executive Director	County Health Executives Association of California	Chawla	No

Last Name	First Name	Title	Organization	Designee For	Present
Hack	Lori	Interim Executive Director	California Association of Health Information Exchanges	N/A	Yes
Hernández	Sandra	President and CEO	California Health Care Foundation	N/A	Yes
Houser	Brent	Chief Deputy Director, Operations	Department of State Hospitals	N/A	Yes
Kaiser	Cameron	Deputy Public Health Officer	County of San Diego (representing the California Conference of Local Health Officers)	Relucio	Yes
Kiefer	Andrew	Vice President, State Government Affairs	Blue Shield of California	Markovich	Yes
Koopmans	Linnea	CEO	Local Health Plans of California	N/A	Yes
Larson	Cheryl	Director & CIO	Department of Corrections and Rehabilitation	Toche	No
Legé	Matt	Government Relations Advocate	SEIU California	N/A	No
Lindeman	David	Director, CITRIS Health	UC Center for Information Technology Research in the Interest of Society	N/A	Yes
Lo	Julie	Executive Officer	Business, Consumer Services & Housing Agency	N/A	No
McAllister-Wallner	Amanda	Deputy Director	Health Access California	Wright	Yes
McCallin	DeeAnne	Director of Health Information Technology	California Primary Care Association	Beaudry	Yes
Modaressi	Ali	CEO	Los Angeles Network for Enhanced Services	N/A	Yes
Moore	Dana E.	Acting Deputy Director	Department of Public Health	N/A	Yes
Murray	Erica	President and CEO	California Association of Public Hospitals and Health Systems	N/A	Yes

Last Name	First Name	Title	Organization	Designee For	Present
Nau	Nathan	Deputy Director, Office of Plan Monitoring	Department of Managed Health Care	N/A	Yes
O'Malley	Janice	Legislative Advocate	California Labor Federation	Pulaski	Yes
Savage	Mark	Managing Director, Digital Health Strategy and Policy	Savage & Savage LLC	N/A	Yes
Savage-Sangwan	Kiran	Executive Director	California Pan-Ethnic Health Network	N/A	Yes
Scott	Linette	Chief Data Officer	Department of Health Care Services	N/A	Yes
Senderling-McDonald	Cathy	Executive Director	County Welfare Directors Association	N/A	Yes
Switzgable	Jim	Deputy Director	Department of Developmental Services	Bargmann	Yes
Vignalats	Julianna	Assistant Deputy Director	Department of Social Services	N/A	No
Williams	Claudia	CEO	Manifest MedEx	N/A	Yes
Witten-Rood	Leslie	Chief, Office of Health Information Exchange	Emergency Medical Services Authority	N/A	Yes
York	William	President and CEO	211 San Diego/Community Information Exchange	N/A	Yes