GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2016-035
March 10, 2016

SUBJECT: Establishment — Health Information Exchange Policy Board

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, Pub. L.93-198, 87 Stat.790, D.C. Official Code § 1-204.22(11) (2014 Repl.), it is hereby **ORDERED** that:

I. ESTABLISHMENT

There is hereby established in the Executive Branch of the Government, a District of Columbia Health Information Exchange Policy Board (hereinafter referred to as the **"Board"**).

II. PURPOSE

The Board shall advise the Mayor and the Directors of the Department of Health Care Finance, Department of Health, Department of Behavioral Health, Department of Human Services, and the Office of the Chief Technology Officer regarding the enhancement and sustainability of secure, protected exchange of health information among health providers and other authorized entities.

III. FUNCTIONS

The Board shall:

1. Make recommendations on the development of policies essential to broad implementation of secure, protected exchange of health information among health providers and other authorized entities;

2. Make recommendations on the Health Information Exchange (**"HIE"**) efforts available and/or underway within the District (or surrounding regions), under the direction and supervision of the Department of Health Care Finance;

3. Make recommendations to the Mayor and the Department of Health Care Finance regarding improving HIE, including its operations, vision, mission, geographic scope, and functional scope; and

4. Make recommendations regarding applicable accountability mechanism(s) and/or governance structure(s) for HIE in the District and strategies to coordinate HIE activities among key stakeholders across state, regional, and local levels.

IV. COMPOSITION

The Board shall be composed of the following twenty-two (22) members, who shall be appointed by the Mayor:

1. The following fifteen (15) public voting members:

   a. One (1) representative from the District of Columbia Primary Care Association;

   b. One (1) representative from the District of Columbia Medical Society;

   c. One (1) representative from the District of Columbia Nurses Association;

   d. One (1) representative from the District of Columbia Hospital Association;

   e. One (1) representative from a health plan;

   f. Four (4) representatives from the public who are either representatives of, or advocates for, beneficiaries or who are not currently employed by an organization that directly provides health care services;

   g. Five (5) medical providers who provide primary care or specialty care services or individuals who work for a provider organization that provides primary care and/or specialty care services; and

   h. One (1) individual with health care or information technology experience.

2. The following six (6) District government employees, all of whom shall be *ex officio* voting members:

   a. Two (2) employees of the Department of Health Care Finance;

   b. One (1) employee of the Department of Health;

   c. One (1) employee of the Department of Human Services;

d. One (1) employee of the Office of the Chief Technology Officer;

e. One (1) employee of the Department of Behavioral Health; and

3. The following one (1) District government employee, who shall serve as an *ex officio*, non-voting member:

a. One (1) employee of the Office of the Deputy Mayor for Health and Human Services.

V. TERMS

A. Public members of the Board shall serve for a term of three (3) years (except as provided in subsection B of this section). The date on which the first Board members are sworn in shall become the anniversary date for all subsequent appointments.

B. Members may be appointed to fill unexpired terms as vacancies occur. A member appointed to fill a vacancy in an unexpired term shall be appointed for the remainder of the unexpired term.

C. District government officials shall serve only while employed in their official positions, and shall serve at the pleasure of the Mayor.

D. A member may serve beyond the end of his or her term until reappointed or replaced by the Mayor.

VI. COMPENSATION

Members of the Board shall serve without compensation. However, reasonable expenses of the Board may be paid or reimbursed, when approved in advance by the Director of the Department of Health Care Finance, or his or her designee, subject to the availability of appropriations for that purpose, and shall become obligations against funds designated for that purpose, when sufficient budget authority exists to allow payment or reimbursement.

VII. ORGANIZATION

A. The Board shall be chaired by one of the employees of the Department of Health Care Finance, who shall be appointed by, and shall serve at the pleasure of, the Mayor.

B. The Board may elect other officers as it may deem appropriate, and may establish its own bylaws and rules of procedure, both subject to the approval of the Mayor, or his or her designee.

C. The Board may establish subcommittees which may include persons who are not members of the Board, provided that each subcommittee shall be chaired by a member of the Board.

D. The Board shall establish its own meeting schedule, but shall convene no fewer than once each calendar quarter.

E. The Board may utilize telephone conferencing or video-conferencing technologies to satisfy the meeting requirements.

F. The Board shall establish an Advisory Group, with representatives from the public, for-profit, and non-profit sectors, to advise the Board with regard to recommendations for policy governing the HIE.

VIII. CONFLICT OF INTEREST

A. The Board shall develop and publish procedures to guard against conflicts of interest for its members. These procedures shall provide that no member of the Board shall participate in any way in the consideration of, or making a decision on, a grant to his or her own organization, to any organization offering the same or similar services to his or her own organization, or to any organization of which a family member of the Board member is an officer or employee. The conflict of interest procedures of the Board shall also ensure compliance with section 2602(b)(5)(A) and (B) of the Public Health Service Act (42 USCS § 300ff-12(b)(5)(A) and (B)).

B. Each member of the Board shall sign a conflict of interest statement describing his or her economic or other relationships (for example, contracts, employment, or grants) with entities that may benefit from, or be otherwise affected by, a decision of the Board.

C. If a conflict of interest arises for any Board member, the member shall immediately disclose the conflict and either recuse himself or herself from deliberation and debate, from making recommendations, and from participating in the decision-making process related to any matter related to the conflict of interest or resign if the conflict is deemed detrimental to his or her position on the Board as determined by the procedures developed as part of subsection A of this section.

IX. ADMINISTRATION

The Department of Health Care Finance shall provide administrative, clerical, and technical support to the Board to the extent that funds are available.

XI. RESCISSION

Mayor's Order 2012-24, dated February 15, 2012, is hereby rescinded.

XII. EFFECTIVE DATE

This order shall become effective immediately.

MURIEL BOWSER
MAYOR

ATTEST:

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA