

Subcommittee: Policy

Chair: Mr. Justin Palmer

Vice-Chair: Mr. Praveen Chopra

Date: July 23, 2020

Status: Final



District of Columbia Health Information Exchange Policy Board

Recommendation for the DC HIE Secondary Use of Health Information Self-Assessment Checklist

I. SUMMARY

The *DC HIE Secondary Use of Health Information Self-Assessment Checklist* is to support the DC Department of Health Care Finance’s governance and oversight of District Registered and Designated HIE entities as set forth in the DC HIE Rule, [Chapter 87, Title 29 of the District of Columbia Municipal Regulation](#). The completed Checklist, by District Registered and Designated HIE entities, is the first step towards developing DHCF’s Secondary Use policy guidance, per section 8703.4 of the DC HIE Rule.

II. PROBLEM STATEMENT

With the secondary use of health information comes complex ethical, political, technical, and social issues. These various issues play a crucial role in limiting public and private sectors on expanding health data volume and access to data. There is a lack of consistent “good practices” or guidelines for the secondary use of health data to improve the U.S. healthcare system. The development of consistent language and guidance will help District HIEs establish proper policies around the secondary use of health data. With adequate policies in place, District HIEs can maintain transparency and trust with patients on the use of such data.

III. SUBCOMMITTEE GOAL AND ACTIVITY

The Policy Subcommittee’s goal and activity focused on researching and providing guidance on the range of secondary uses of health information to support DHCF’s development of policy guidance, as required by section 8703.4 of the DC HIE Rule.

IV. FINDINGS/ANALYSIS

In the DC HIE Rule, secondary use of health information is defined as “the use, access, or disclosure of health information through the registered HIE entity that is not for a Primary Use; subject to any limitations under HIPAA or federal law. A registered HIE entity shall provide DHCF with policies governing disclosure for secondary use in accordance with policy guidance published to the DHCF website.”

DHCF’s definition of secondary use of health data is broad and can include uses such as:

- Research
- Social Determinants of Health
- Registries
- Health Surveillance
- Operational Improvement in Quality of Cares

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- Care Coordination

Given the breadth and nature of these types of activities, there is often concern from patients regarding research participation and/or secondary clinical and nonclinical use of digitized information.

A standardized framework to require and organize secondary use policies for all HIEs participating in the DC HIE is a first step towards educating and informing patients about HIE’s secondary uses of their health information. These policies in turn will create more transparency around the collection, storage, aggregation, linkage and transmission of health information, and aim to alleviate potential patient privacy concerns.

V. RECOMMENDATION(S) FOR BOARD ACTION

The Policy Subcommittee has developed the *DC HIE Secondary Use of Health Information Self-Assessment Checklist* to elicit information about the HIE’s written policies, practices, and experiences. The expectation is that all District Registered and Designated HIE entities will complete and share with DHCF policies for applicable use cases identified in the checklist.

Proposed Recommendation for Board Action: *The DC HIE Policy Board endorses this DC HIE Secondary Use of Health Information Self-Assessment Checklist and recommends that DHCF make this document available on its website within a 72-hour timeframe from the day of this, July 23, 2020, HIE Policy Board meeting. The DC HIE Entities should complete and send this Checklist to DHCF staff within a timeframe defined and coordinated with DHCF.*

Committee Members: Ms. Jill DeGraff, Ms. Mara Kash, Mr. Luigi LeBlanc, Ms. Alice Leiter, Ms. Genevieve Morris

*** VOTING ***

FIRST MOVEMENT: Ms. Lucinda Wade

SECONDED BY: Ms. Alice Leiter

Attendance: 9

Quorum: 8

TIME: 4:44 PM

Public Members	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Not Present</u>
Osinupebi-Alao, Olubukunola				X
Herstek, Jessica	✓			
Hettinger, Zach (Aaron)	✓			

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Public Members	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Not Present</u>
Ramos-Johnson, Donna	✓			
Leiter, Alice	✓			
Lewis, Barry				X
Marshall, Eric	✓			
Moghimi, Yavar	✓			
Orlowski, Janis	✓			
Palmer, Justin J. (Vice-Chair)	✓			
Rein, Alison				X
Turner, James				X
Wade, Lucinda	✓			
VACANT				
VACANT				
Ex-Officio Members				
Bazron, Barbara				X
Byrd, Melisa (Designee: Pamela Riley)	✓			
Hasan, Dena	✓			
Holve, Erin (Chair)	✓			
Krucoff, Barney				X
Nesbitt, LaQuandra (Designee: Lauren Ratner)	✓			
Ex-Officio (Non-Voting) Member				
Leak, Chikarlo				