

ONC PRIVACY AND SECURITY

May 18, 2011

Public Comments on Suggested Priorities – Posted on FACA Blog

- Support States (out of scope)
 - Enabling HIE across state boundaries
 - Develop a “model rule” states could use in building HIE infrastructure and direct states to work within these rules (we believe this is what ONC is doing with the NwHIN governance rule)
- Consent (Tiger Team has already made recommendations; these suggestions are implementation issues)
 - Technologies enabling adolescents to provide consent
 - Provide a workable patient consent policy
- Transparency of the original source and date of the data in the record (added to Priorities list below)
- Work with OCR to address any additional business associate issues specific to HIOs: SaaS topic/BA agreement (added to Priorities list below)
- Secure use of PHI once it is delivered (Fall, 2011 topics)
- Process for providers to notify ‘persons’ identified by the patient of an amendment (included in Corrections)
- Provider and consumer education on definition and use of de-identified data (Fall, 2011, topics)
- Extending HIPAA requirements to all holders of protected health information (out of scope)
- Defined list of common exchanges so that the provider can better communicate with the individual (out of scope)
- The process that a provider will use to attest to his/her relationship with a patient (consider as part of query and response models)

Tiger Team Priorities (per 5/4/11 Tiger Team meeting with additions from public comments)

- Complete policy framework for push transactions:
 - Corrections and other data integrity issues beyond patient matching
 - Transparency of the original source and date of the data in the record
- Query and Response models of HIE
 - Additional business associate issues specific to HIOs
- Issues associated with hosted EHRs
- Patient portal issues, beyond security (e.g., transparency, usability, etc.)
- HIPAA Security Rule gap analysis – comparison of HIPAA to other industry standards and discussion of gaps
- Internal, unauthorized access – policies & technologies that enhance prevention
- Provider and consumer education on definition and use of de-identified data

Tiger Team Schedule

2011 Date	Time	Type of Meeting	Agenda
4/18	2 – 3:30 pm	Tiger Team	Follow-up from HITPC Planning
5/4	2 – 4 pm	Tiger Team	<ul style="list-style-type: none"> Review plan for next quarter Kickoff work group for followup issues on Certificate Authorities Introduce Next Topic: Data Integrity and Quality, specifically Corrections
5/11	9 am – 3 pm	HIT Policy Committee	
5/23 (rescheduled from 5/16)	2 – 4 pm	Tiger Team	Continue Corrections
6/3	2 – 4 pm	Tiger Team	Report from Certificate Authority WG Other issues related to data integrity and quality (TBD)
6/8	9 am – 3 pm	HIT Policy Committee	Certificate Authorities Corrections
6/16	2 – 4 pm	Tiger Team	HIPAA Security Rule Gap Analysis (ONC to present analysis)
7/6	9 am – 3 pm	HIT Policy Committee	
7/8	2-4 pm	Tiger Team	HIE models - Begin high level evaluation of various HIE models and associated P&S considerations
7/22	2-4 pm	Tiger Team	HIE models continued
8/3	9 am – 3 pm	HIT Policy Committee	HIE models
8/5	2-4 pm	Tiger Team	EHR models – Review ONC environmental scan to identify unique P&S issues
9/14	9 am – 3 pm	HIT Policy Committee	
10/12	9 am – 3 pm	HIT Policy Committee	
11/9	9 am – 3 pm	HIT Policy Committee	
12/7	9 am – 3 pm	HIT Policy Committee	

Fall, 2011 Topics:

- Patient portal issues, beyond security (e.g., transparency, usability, etc.)
- HIPAA Security Rule gap analysis – comparison of HIPAA to other industry standards and discussion of gaps
- Internal, unauthorized access – policies & technologies that enhance prevention
- Provider and consumer education on definition and use of de-identified data