

## **DRAFT MINUTES**

### **State Consumer Health Information and Policy Advisory Council**

**Meeting Date:** *March 20, 2015*

**Time:** *10:00am – 12:00 pm*

**Location:** *Webinar/Agency for Health Care Administration*

**Members Present:** Michael Wasyluk, MD, Chair; Kim Streit, Vice Chair; Molly McKinstry (proxy for Secretary Elizabeth Dudek); Laura Cantwell; Ronda Schuck (proxy for Diane Godfrey); Chris Struk (proxy for Jack McDermott); Paul D. Myers; Tammy Perdue; Karen van Caulil, PhD; Mary Beth Vickers; and Tracy Yacobellis

**Members Absent:** Jill Sumfest, MD and Wences Troncoso

**Staff Present:** Beth Eastman, Heidi Fox, Jessica Hand, Nikole Helvey, Adrienne Henderson, Jennifer Miller, Richard Shoop, Nancy Tamariz, Carolyn Turner, and Marsha Webb

**Interested Parties Present:** Alexandra Abboud, Florida Dental Association; Taciana Cadet Butler, Broward Health; Jay Desai, Patient Ping; Marjorie McNeill PhD, FAMU; Kenney Shipley, NICA; and Julia Smith.

**Call to Order, Welcome and Roll Call:** Dr. Michael Wasyluk, Chair, called the meeting to order, welcomed attendees and called roll.

**Agency Updates:** Ms. Molly McKinstry, Deputy Secretary for Health Quality Assurance, welcomed Nikole Helvey as the new Bureau Chief of the Florida Center for Health Information and Policy Analysis. She shared that the nursing home certificate of need batch is now complete and there were decisions made for approximately 2,000 nursing home beds in 25 counties. There were some challenges to the awards; however, 13 decisions were not challenged. Those not challenged included 7 new nursing homes and the addition of more beds at existing homes. The Managed Care health plan report card was released on FloridaHealthFinder in early February. This streamlined reporting for Commercial, Medicaid and Medicare plans. She also noted that we are in the middle of Legislative Session, but that it was too early to know if there are any impacts to the Agency.

**Sunshine Law Review:** Mr. Richard Shoop gave an overview of the Sunshine Law. The Sunshine Law was established by Article I, Section 24 of the Florida State Constitution and Chapter 286, Florida Statutes. Any collegial body is subject to the Sunshine Law. Any gathering (including email communications) of two or more members of the collegial body is considered a meeting subject to Sunshine Law requirements. Examples of a collegial body are a commission, advisory board, ad hoc committee and task force.

Three basic requirements of the Sunshine Law are that 1) meetings of the collegial body must be open to the public, 2) the collegial body must give “reasonable notice” of its meetings and 3) the collegial body must keep minutes of its meetings. A “meeting” of a body subject to Sunshine Law is broadly defined to include any gathering – formal or informal – during which two or more members of the body discuss the official business of the body. Accordingly, the business-related discussions between members of the collegial body may only take place at open, properly-noticed meetings. Members may not discuss the business of the collegial body with each other through private phone conversations or email discussions. Members may distribute documents to each other, but they may not discuss or

exchange comments on those documents outside of a public meeting. In addition, members may discuss with third parties (i.e., non-members of the body), provided the members do not use a third party as a liaison for business-related communication with other members.

Notice of public meetings is governed by F.S. 120.525. These requirements are more specific than those of the Sunshine Law and dictate that the meetings be publicly noticed in the Florida Administrative Register, provide an agenda at least 7 days before the event, and record minutes (though not verbatim). Any documents or other materials that are created or received by collegial body members related to the collegial body's official business are "public records" which must be made available to the public for inspection and copying. Collegial body members should also take care during the public meetings not to discuss information derived from such confidential records.

**Review and Approval of Minutes:** The Chair called for review and approval of the December 5, 2014 draft minutes. Ms. Kim Streit made a motion to approve and Ms. Tammy Perdue seconded the motion. The Council voted to accept the minutes with no objections.

**Health Information Exchange Coordinating Committee (HIECC) Update:** Dr. van Caulil updated the Council on the HIECC meeting, held February 20, 2015. Dr. van Caulil stated that Aaron Parsons presented an update on the Event Notification Service (ENS). He reported that there were 139 hospitals in production, one health plan in production receiving alerts and another health plan that has subscribed and is in process to load their member panel.

Dr. van Caulil relayed the PLU User Group met on December 18, 2014. Topics discussed were processes consent policies for the eHealth Exchange, proposed subscription agreement revisions for 2015 and plans for a Technical User Group meeting in January

Dr. van Caulil also stated that Ms. Gigi Cowart, Harris Project Manager reported highlights of the quarter through January 2015. Continued progress was made in PLU onboarding. Orlando Health went live on December 8, 2014 and Tampa Bay RHIO completing its second set of onboarding milestones required for CMS funding of facilitated onboarding.

Ms. Pam King gave an update report on Florida HIE outreach activities. She gave an overview of the outreach plan for 2015 which describes activities to expand node participants as well as recruit new participant nodes. She invited HIECC members to view the PLU and ENS outreach videos on the Florida HIE website.

Dr. van Caulil shared that Ms. Carolyn Turner presented the proposed revisions to the PLU and ENS subscription agreements. A separate termination clause is being added to the PLU agreement. ENS agreement changes include adding a purpose statement, health plan acknowledgement of hospital copies, a requirement to filter restricted self-pay patient encounters and provision for optional reporting of admissions data.

She also reported that Ms. Cortnie Fricot with AHIT presented on the Pediatrician Use of Hybrid PLU Demonstration Project. The Center for the Advancement of Health IT coordinated the project with the purpose of testing the use of the HIE Direct service of Strategic Health Intelligence. Outreach was conducted to engage three pediatric practices and assist them in using the service to query patient information. She made recommendation to the Florida HIE to improve the service and understand when records were not found.

Ms. Mary Schrenker gave an overview of the EHR incentive program. She reported that as February 6, there were 6556 eligible professionals and 174 hospitals paid. She explained that limited numbers of hospitals and eligible professionals were scheduled for meaningful use stage 2. She noted that program year 2015 changes are expected from CMS soon.

Ms. Turner presented program updates and announced that the Agency will hold a HIE symposium on June 26, 2015. The theme of the symposium is "Helping Florida Get HIT Connected." She encouraged members and all interested parties to pre-register.

The next meeting of the HIECC is planned for May 29, 2015 in Tallahassee.

**2015 Long-Range Plan: Update and Implementation Status Plan:** Ms. Nancy Tamariz, Beth Eastman and Heidi Fox updated the Council on the 2015 Advisory Council Long-Range Plan.

Ms. Nancy Tamariz presented an update for the Data Collection Unit. She reported that 2014Q3 data was recently completed with 2 outpatient facilities still outstanding. She also noted that an online video was recently completed and work will begin on an Easy XML File Correction video soon. There is a Data Working Group meeting scheduled for March 26. A "request webinar" function has been added to the AHCA website; however, no webinars have been requested to date. The webinars will be promoted during the Working Group meeting next week. She also reported that ICD-10 implementation is still on track to begin in October 2015. She noted that the proposed rule is being routed through the Governor's Office for approval to proceed with publishing the proposed rule.

Ms. Tamariz also provided an update on the proposal to reduce the data reporting timeframe from 5 months to 4 months. She stated that they will need to have a rule workshop. She also noted that she would like to include any rule changes during this proposed rule change since the process is so lengthy. Some proposed changes already include 1) the fine matrix – the proposed change would allow facilities that are on level 3 to have the opportunity to go back to a level 1 after 4 successful data submissions. Currently once you reach level 3 you stay there forever; 2) certification designee – the proposed change will allow facilities to provide a designee to sign certifications other than the CEO and CFO. An additional designee would help speed up certification in instances when the CEO and CFO are not available to sign the certification form; 3) eliminate the ICD-9 procedure code from the Outpatient rule since they aren't typically reported by ASCs.

Ms. Kim Streit stated that she would like to get constituents together to discuss ways to streamline the submission process (on both sides) in an effort to reduce errors and receive more timely submissions. Ms. Tamariz noted that the systems are all varied in how they submit data; therefore, it may be difficult to come up with efficiencies that would be the same across all facilities. However, she agreed on further discussion.

Beth Eastman presented an update on improving and promoting FloridaHealthFinder.gov. She began with the accomplishment of 3.3 million visitors to FloridaHealthFinder.gov last year. She noted that we are on track to exceed that number this year. Total visitors to date are 45% more than the same time period last year (Jan-Feb). The webinar goals have been reached, but we will continue promoting and providing them. She also mentioned that we will provide FloridaHealthFinder brochures and bookmarks to anyone attending conferences to assist with promoting the website.

Ms. Eastman noted that we will have a representative at the upcoming Florida Senior Day at the Capitol. Upcoming enhancements to FloridaHealthFinder.gov include a listing of hospital off-site outpatient locations on their facility locator profile pages and the addition of the STS Pediatric Cardiology measures (in collaboration with DOH). An upcoming milestone is the 10 year anniversary of the FloridaHealthFinder.gov website launch.

Ms. Heidi Fox presented an update on the HIE goals. There are now four health plans subscribed to the Event Notification System (ENS). Ms. Fox also stated that there are 203 hospitals subscribed as data sources and more than 85% in production. PLU transactions were 168 in January and 217 in February. She also mentioned that there are 155 new eligible professionals that received an HER incentive payment between 1/1/2015-3/6/2015.

**Consumer Price Transparency:** Ms. Jennifer Miller presented information on various websites that provide consumers with information on health care charges and/or costs. The websites included in the discussion were CMS Hospital Compare, Fairhealthconsumer.org, Guroo.com, Opacost.com, Colorado's comedprice.com, Virginia's vhi.org, and Wisconsin's wipricepoint.org. Guroo.com is the newest site and also uses the ADAM health tools that are on FloridaHealthFinder. Opacost.com is the smallest and simplest; however, it was noted by Council members that it presents the price paid by Medicare, which is very structured and can be very different than what Commercial plans will pay. The only negative aspect Ms. Miller noted about the Colorado site is that it only gives information on 4 procedures. A neat feature of the Wisconsin site is that it provides median charges for the Top 75 Most Common Hospitalizations in the state by hospital. Ms. Beth Eastman noted that this was something that could possibly be added to FloridaHealthFinder.gov. Ms. Kim Streit noted that she was glad the APCD was being discussed and wanted to know the status of any budget requests. Ms. Nikole Helvey stated that it has not been in the Governor's budget the last two years, but that requests for next year will be prioritized around June and it is on the agenda to discuss.

The next meeting will be scheduled in June 2015. The Chair adjourned the meeting at 11:04 a.m.