Information Blocking (IB) Task Force

Transcript
March 28, 2019
Virtual Meeting

SPEAKERS

Name	Organization	Title
Michael Adcock	Individual	Co-Chair
Andrew Truscott	Accenture	Co-Chair
Cynthia A. Fisher	WaterRev LLC	Member
Valerie Grey	New York eHealth Collaborative	Member
Anil K. Jain	IBM Watson Health	Member
John Kansky	Indiana Health Information Exchange	Member
Steven Lane	Sutter Health	Member
Arien Malec	Change Healthcare	Member
Denni McColm	Citizens Memorial Healthcare	Member
Aaron Miri	The University of Texas at Austin, Dell Medical School and UT Health Austin	Member
Sasha TerMaat	Epic	Member
Lauren Thompson	DoD/VA Interagency Program Office	Member
Sheryl Turney	Anthem Blue Cross Blue Shield	Member
Denise Webb	Individual	Member
Lauren Richie	Office of the National Coordinator	Designated Federal Officer
Cassandra Hadley	Office of the National Coordinator	HITAC Back-up/Support
Mike Lipinski	Office of the National Coordinator	Staff Lead
Mark Knee	Office of the National Coordinator	Staff Lead
Penelope Hughes	Office of the National Coordinator	SME
Morris Landau	Office of the National Coordinator	Back-up/Support
Lauren Wu	Office of the National Coordinator	SME

Operator
All lines are now bridged.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Hi, everyone. Welcome to Workgroup 3 under information blocking. We only have Andy and Denise with us so far but we're going to try to get as far as we can today and hopefully move towards wrapping up our draft recommendations. So, Andy, I'll turn it over to you.

Andrew Truscott - Accenture - Co-Chair
Thanks, Lauren. I wouldn't say only Andy and Denise. We have Andy and Denise here.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Absolutely.

Andrew Truscott - Accenture - Co-Chair
Well, yeah. So, the others are out probably **[inaudible] [00:00:35]**. But we've only probably got one area that we need to pick up on from our prior meetings as we go into this drafting. And the intent here, Denise, is I want us to get at least finished on the drafting by Tuesday morning if possible. And I don't think that's going to be a big lift because I think all of the changes we kind of got down, which would be to come up with the final text. So, what is the evidence Sasha threw out that we need to go look at?

Denise Webb - Individual - Member
I think we were working out of the Google Doc, weren't we? Can somebody pull that up?

Andrew Truscott - Accenture - Co-Chair
Yeah. I've got it up right now. Mark, which one was it, where was it?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
I'm having trouble. I can't seem to get into the Google Doc. Katie, from Accel, I don't know if you can look into whether there are issues with the Google Doc but it won't seem to open for me.

Lauren Wu - Office of the National Coordinator - SME
Mark, this is Lauren Wu. I had the same problem earlier today, too.

Andrew Truscott - Accenture - Co-Chair
So, I will reload the Google Doc. Oh, it's loading fine.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Okay. Then, Andy, you may need to leave the push here because I can't –

Andrew Truscott - Accenture - Co-Chair
Oh, my word. Okay. You want me to leave something – okay. There are lots of vague annotations in here. Which particular area was it that Sasha called out?

Denise Webb - Individual - Member
Hold on. If you're asking me, you're going to have to hold on a minute. I had to let my dog in. Hold on.

Andrew Truscott - Accenture - Co-Chair
Okay.

Denise Webb - Individual - Member
It had to do with – I've got so many things swimming around in my head right now. Mark, you were on the call, right, when she threw this out at the end?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
I was on the call, yes. But I am having trouble without the Google Doc open remembering exactly what the issue was.

Denise Webb - Individual - Member
Oh. So, you want me to remember this off of the top of my head.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
Well, I was hoping Andy would kick it to you and then, you went –

Andrew Truscott - Accenture - Co-Chair
I'm looking through the Google Doc. Sasha has raised –

Denise Webb - Individual - Member
Hold on. I have the recommendations. I'll look. I'll tell you which one it is. Hold on. Let me get my notes because I printed those off because the Chime CIOs wanted to ask me a question.

Andrew Truscott - Accenture - Co-Chair
Communication seems to be pretty much wrapped up with the exception, actually I've got one here, around whether we want to include the BAA. This came up in another one of the calls. I'm happy to discuss it now while Denise is working out which way is up. Where we talked about health IT development must not establish, renew, or enforce any contract or agreement that contradicts Paragraph A. Do you remember that bit, Mark?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

I'm having a little trouble hearing you. Can you say that a little bit louder?

Denise Webb - Individual - Member

Yeah, you're muffled.

Andrew Truscott - Accenture - Co-Chair

Someone said that earlier. I thought it was just me with a cold. But a health IT developer must not establish, renew, or enforce any contract or agreement that contradicts Paragraph A of this section. That's in communication. Yeah, it's in communications. And a comment came through from one of the other workgroups. So, I've annotated it in here about whether we should explicitly call out BAAs in there as well.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Oh, yeah. I remember what the question was. I don't know if that was the same one but, I think, Andy, it has to do with making it clear that during that five year period you all are proposing that it doesn't mean that that action can take place. It's just that there are five years to implement the new contract but that the appropriate actions would need to be going on during that time, even if the contract wasn't formally amended. I think that was –

Andrew Truscott - Accenture - Co-Chair

That was part of the conversation for sure because I went back to it and checked. And in the regulation, it says you cannot do that. Despite the contract being there, you're not allowed to do this.

Denise Webb - Individual - Member

I think the regulation sufficiently covers that.

Andrew Truscott - Accenture - Co-Chair

I agree completely. But the only question was around the BAA and about whether we considered that to be a matter of contract or not.

Denise Webb - Individual - Member

Oh. Well, I think when we were talking about this earlier, I remember we talked about the use agreements would even fall under this.

Andrew Truscott - Accenture - Co-Chair

Yeah.

[Crosstalk]

Andrew Truscott - Accenture - Co-Chair

Because it's a contract or agreement. It's nice and open and could mean anything.

Denise Webb - Individual - Member
Well, any legal agreement, right? A BAA is a type of a legal agreement. A DUA is a type of a legal agreement.

Andrew Truscott - Accenture - Co-Chair
I think we're covered.

Denise Webb - Individual - Member
Yeah.

Andrew Truscott - Accenture - Co-Chair
Do we want to say see preamble?

Denise Webb - Individual - Member
Yeah, that was not the topic.

Andrew Truscott - Accenture - Co-Chair
No, that's not the topic. So, it's just one that had my name by it. Okay.

Denise Webb - Individual - Member
At the end of the last call, and I don't know why I'm not remembering this but maybe Lauren will or somebody will, Sasha put a bunch of red text out to actually modify – oh, I know what it was now. It had to do with the new category called unprotected communications.

Andrew Truscott - Accenture - Co-Chair
Oh, yes, because someone had drafted it, hadn't they?

Denise Webb - Individual - Member
Yeah. It had to do with that new category and they wanted to – oh, here it is. It's the recommendation. ONC should add a category of communications titled unprotected communications. And it was just a little paragraph. And then, what she had done –

Andrew Truscott - Accenture - Co-Chair
Alternative framing, that was it.

Denise Webb - Individual - Member
Yeah. She was framing it in regulatory language and we ran out of time at the end of the call. And I know I was having some issues with it because, typically, you don't put that level of detail in the regulatory text. It was a little bit –

Andrew Truscott - Accenture - Co-Chair

Yeah. Let's look at it because it's Section 3, alternative framing. A health IT developer may prohibit or restrict any communication to the extent and then, there are six sub points inside of that.

Denise Webb - Individual - Member
Yeah, but this is different. This is the new category that the workgroup recommended be added called unprotected communication –

Andrew Truscott - Accenture - Co-Chair
Denise, that's exactly what I'm talking about. And we said it should be 1) protected by other legislation or regulation or 2) folks who are unlawful and we left it at that.

Denise Webb - Individual - Member
Oh, okay.

Andrew Truscott - Accenture - Co-Chair
And then, Sasha had said alternative framing of some six examples of unprotected communication.

Denise Webb - Individual - Member
Okay. Yeah. We're tracking.

Andrew Truscott - Accenture - Co-Chair
Okay. Have you got that in front of you?

Denise Webb - Individual - Member
All I have in front of me is an agenda that's on the screen. And what I'm reading off of is what was presented at the HITAC. So, I don't even have the –

Andrew Truscott - Accenture - Co-Chair
I've got the Google Doc open.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
Andy, are you able to share your screen?

Andrew Truscott - Accenture - Co-Chair
I have no idea.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
If you just click share the screen in the – yeah.

Denise Webb - Individual - Member
Oh, good. Okay. That's a little –

[Crosstalk]

Andrew Truscott - Accenture - Co-Chair
Can everyone see it?

Denise Webb - Individual - Member
Are you able to zoom it out a little bit?

Andrew Truscott - Accenture - Co-Chair
There we go.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
Oh, yeah, perfect. You should do it every time.

Denise Webb - Individual - Member
You're the man.

Andrew Truscott - Accenture - Co-Chair
Moving forward, quickly. This is the text that she put in.

Denise Webb - Individual - Member
So, let me read the one that we originally said we were going to do.

Andrew Truscott - Accenture - Co-Chair
That's the one in yellow above, yeah.

Denise Webb - Individual - Member
Yeah, right above, yeah, in this section. I liked our original framing. I think the alternative –

Andrew Truscott - Accenture - Co-Chair
I like it, too.

Denise Webb - Individual - Member
Alternative framing, I wouldn't put that in the regulatory part. If some of those examples want to be called out in the preamble, I'm okay with that. I think that's how we kind of ended the call, too, but we didn't get to settle on that point.

Andrew Truscott - Accenture - Co-Chair

Let's just – she's provided it so let's just go through it. The communication is unlawful. That's covered in Point 2 we had. The content is **[inaudible] [00:10:02]** to unlikely cause confusion. That's interesting. Confusion? I'm not sure that should be a restriction. Trademark liable or trademark infringement. This is EHI. I think that's a bit weird anyway. But false is covered by two as well. Is protected by lawful disclosure, Point 1. 4) Is subject to a lawful obligation, which is protected by legislation. Okay. Content was obtained without authorization. That's unlawful, that's two. 6) It's to or for the benefit of a competitor – I must admit, No. 6 – I'm inclined to think that Nos. 1 through 5 are absolutely covered by our current drafting. And No. 6 is a bit of a mine field, actually.

Denise Webb - Individual - Member
Yeah. I think that's out on the fringe. We have some folks from the vendor community, obviously, that are very concerned about their IP.

Andrew Truscott - Accenture - Co-Chair
Yes.

Denise Webb - Individual - Member
And that really treads into that trying to find a place to protect yet not be an information blocker. I think I prefer our original drafting.

Andrew Truscott - Accenture - Co-Chair
Right. And I'm happy to talk to Sasha about that.

Denise Webb - Individual - Member
And certainly what we could suggest is that to take some of the specific examples and to say maybe recommend to ONC that if they accept this recommendation to include this new category in the regulatory text that they could put some of these, for example, attorney/client privilege communications is a good example. So, there is a sprinkling of examples in there that could be used in the preamble.

Andrew Truscott - Accenture - Co-Chair
Honestly, I think the first five are pretty reasonable examples. Actually, the bit that is in brackets, the such as is. But the six –

Denise Webb - Individual - Member
Well, you could say here are some examples of unlawful communications and here are some examples of whatever

Andrew Truscott - Accenture - Co-Chair
Yeah. Unlawful or false or protected by law or subject to lawful obligation. I've got no problem with that.

Denise Webb - Individual - Member

A good example of protected by law is attorney/client privilege, I believe, is protected by law.

Andrew Truscott - Accenture - Co-Chair
It is indeed. It says it on the screen.

Denise Webb - Individual - Member
That's a good example of protected by law. And then, some of these others might be good examples of unlawful or fraudulent.

Andrew Truscott - Accenture - Co-Chair
I made my joke about unlawful or illegal. Has anyone used it since?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
I have not. I'm just saving it for the right time. It's the Ace in your pocket, right?

Andrew Truscott - Accenture - Co-Chair
It is. I told Elise and she groaned at me. Anyway, honestly, I think, Denise, we worked through this. That's fine. Keep it as is but we'll extend those into the preamble. And I'll do that. Is that the only point we had open?

Denise Webb - Individual - Member
Yes, I believe it was because you were –

Andrew Truscott - Accenture - Co-Chair
I like this workgroup.

Denise Webb - Individual - Member
You were ready to conclude the workgroup and move these recommendations forward to the task force to –

Andrew Truscott - Accenture - Co-Chair
Yeah. Okay. So, I'm actually going to say should we open for public comment?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
I think so.

Andrew Truscott - Accenture - Co-Chair
Oh, 20 minutes in and you go to public comment? What's going on?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Operator, can you open the lines?

Operator
If you'd like to make a public comment, please press star 1 on your telephone keypad. A confirmation tone will indicate your line is in the cue. You may press star 2 if you'd like to remove your comment from the cue. For participants using speaker equipment, it may be necessary to pick up your handset before pressing the star keys.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Well, Andy, I think this might go down as the quickest call ever.

Andrew Truscott - Accenture - Co-Chair
That's okay. That's a good thing given some of the ones we have been. And the reason we can get through this quickly now is because Denise, Sasha, etc., have been so focused on this from the get go, we've actually done a really good job and moved through some fairly sticky things very quickly. So, that's good.

Denise Webb - Individual - Member
So, Andy, I have a suggestion. If this kind of concludes our workgroup deliberations, it might be great to shift a little time to the task force because I think as we start moving things off of the workgroup's plate onto the entire task force to deliberate and approve, we're probably going to need more than an hour for those meetings.

Andrew Truscott - Accenture - Co-Chair
Yeah. It's a bit of a topic du jour. I've actually canned the task force meeting for tomorrow on the basis that Workgroup 2 and Workgroup 1 are not ready. And I'd rather give the time back to people to work because we've run this slightly differently to other task forces previously in that I'm not allowing Mike and I to do the drafting. We're going to contribute to the drafting but we're not doing the exclusive drafting because I think it's important that these are consensus recommendations and the whole task force feels that they're being heard etc.

Denise Webb - Individual - Member
Yeah. That's good because that's how we did it, too, on CMC. And I know when I co-chaired the task force with Arien, he did a good amount of the drafting and then, we gave feedback. But we've been doing collaborating drafting on the CMC as well.

Andrew Truscott - Accenture - Co-Chair
What I've done with Workgroup 2 is we've actually – I at least told them because they weren't all on the last call but we've actually carved off different regulations and given them to each other to draft. And Arien is drafting all of the ones on fees, for example. But Workgroup 1, we're still struggling with some of the base core principles. So, both of those are definitely behind Workgroup 3. I think the resolution of Workgroup 1 will only happen in full task force, to be blunt, because some of the considerations are a little bit on the contentious side. And we can't straighten them out as a group. I keep thinking I'm hearing a

solid voice from the group. And then, when I pick it apart, it's not a solid voice. It falls apart. And Mark has witnessed that on several occasions, I think. Mark, are you ringing your hands in desperation on that one yet?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
No. I just wanted to let you talk. But yeah, and, Denise, I think it's a great idea. So, how would you want to see that work out, I guess, logistically?

Andrew Truscott - Accenture - Co-Chair
Task force is not going to happen tomorrow because people need the time back to get finished, drafting finished and the considerations. Can we have another task force after the 5th?

Denise Webb - Individual - Member
Have what?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
Yeah, you cut out, Andy.

Andrew Truscott - Accenture - Co-Chair
So, can we have a task force on the morning of the 8th?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
In addition to the 5th?

Andrew Truscott - Accenture - Co-Chair
Yes.

Denise Webb - Individual - Member
We're probably going to need it.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Yeah. There's no reason why we can't as long as everyone's availability matches up.

Andrew Truscott - Accenture - Co-Chair
Yeah. Let's just send an email out and see what happens.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Okay.

Andrew Truscott - Accenture - Co-Chair
But let's make it two hours on the 8th.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
I will say I'm supposed to be out that day for a conference.

Andrew Truscott - Accenture - Co-Chair
You get a proxy.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
I would. Is there another day like the 9th that would work?

Andrew Truscott - Accenture - Co-Chair
Well, no, because everyone is traveling to get to HITAC.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
Okay.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Morris, are you available on the 8th to cover for Mark?

Morris Landau - Office of the National Coordinator for Health Information Technology- Backup/Support
What time on the 8th because I've got some training as well? What time on the 8th?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Andy, what time is good for you?

Andrew Truscott - Accenture - Co-Chair
I can be at Morris's beck and call.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
We have a USCDI meeting at 1:30 so I would suggest the morning.

Andrew Truscott - Accenture - Co-Chair

Let's make it 9:00 Central to 11:00 Central.

Morris Landau - Office of the National Coordinator for Health Information Technology - Backup/Support
Okay.

Denise Webb - Individual - Member
So, from 10:00 to 12:00 Eastern.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Correct.

Andrew Truscott - Accenture - Co-Chair
Yes.

Denise Webb - Individual - Member
Yeah, that would be good. And Andy, do you want to keep the meeting on Friday the 5th, keep it to the hour?

Andrew Truscott - Accenture - Co-Chair
Yeah, I do. Because, hopefully, we'll spend that – let's have a quick look. Yeah, actually.

Morris Landau - Office of the National Coordinator for Health Information Technology-Backup/Support
Mark, are you going to be out all day that day?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
I'm supposed to. Andy, is there any other day? I'd like to be there since I've been looped in on all of the different meetings. Are there any other days that you can see where we might be able to do a full task force meeting?

Andrew Truscott - Accenture - Co-Chair
Next week, I am absolutely back to back all week. Now, you don't need me to be there.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
And I guess we need to do it before the 10th, is that –

Andrew Truscott - Accenture - Co-Chair
That's Ms. Richie's agenda we have to follow. And if you can get her to let us have until the 11th.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

I don't believe that's happening.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Well, listen, they don't have to be final by the 10th. We would like them to be as close to final as possible. But remember, we do have one more full committee meeting on the 25th so we'll have to reconcile anything after the 10th.

Andrew Truscott - Accenture - Co-Chair

What I was actually going to suggest is given the time boxing we've got for HITAC, why don't we have an hour and a half after HITAC?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Do you mean like the 11th or 12th?

Andrew Truscott - Accenture - Co-Chair

No, on the 10th.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Oh, like in person while we're there?

Andrew Truscott - Accenture - Co-Chair

Yeah, if we're all there, why not just roll it forever. Because we finish according to my calendar at 2:30. So, why don't we just carry on until 4:00. That's still sensible for people to get out.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Well, right now, the calendar appointment says 2:30 but we're likely going to go until about 4:00. We haven't finalized the agenda yet but it's going to be pretty much a full day.

Andrew Truscott - Accenture - Co-Chair

So, my carving into it isn't going to help?

Denise Webb - Individual - Member

No. And actually, I knew that was going to happen. That's why I'm just staying there Wednesday night because that way, I can go home at a reasonable time.

Andrew Truscott - Accenture - Co-Chair

Okay. Why don't we make it Thursday morning then on the 11th?

Denise Webb - Individual - Member

We could do that. And you and I are going to be – you're not traveling out until Thursday, right, Andy?

Andrew Truscott - Accenture - Co-Chair

No. Well, I don't have to be.

Denise Webb - Individual - Member

Because my flight doesn't go out until the afternoon because I wanted to go nonstop. So, those of us who are there in the morning can meet in the morning and then –

Andrew Truscott - Accenture - Co-Chair

Yeah. Well, anyone else who isn't there can dial in. That's fine.

Denise Webb - Individual - Member

Dial in, yeah.

Andrew Truscott - Accenture - Co-Chair

Lauren, can we have a room at the Omni?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Let me double check on that to see what we have available. Our we saying about as early as 8:30?

Andrew Truscott - Accenture - Co-Chair

That's fine and 8:00 is fine.

Denise Webb - Individual - Member

That sounds good because you've got to consider the other coastlines. It's going to be an earlier time.

Andrew Truscott - Accenture - Co-Chair

Yeah, 8:00 until 10:30 in person at the Omni if people are there. If not, dial in. I've just noticed my calendar. Lauren, can we cancel any of the workgroup meetings, which are taking place after the 10th, please?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Sure. We absolutely can.

Andrew Truscott - Accenture - Co-Chair

Because we won't need workgroups then. The most we're going to need is task force.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Clearly, we can cancel this one it looks like, Workgroup 3.

Denise Webb - Individual - Member

Yeah. We won't need this one next week definitely.

Andrew Truscott - Accenture - Co-Chair

Yeah. Just so you're clear on my sentiments here. Workgroup 3, we're done. Workgroup 1 isn't going to resolve its issues in the workgroup. It's only going to be resolved by the task force. And Workgroup 2 is just working to it.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Okay. All right. So, I just want to confirm that we are at the point where we want to cancel at the workgroup level and just elevate everything to the task force level and cancel –

Andrew Truscott - Accenture - Co-Chair

Yeah. By the 11th, yeah.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

By the 11th, okay.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

I think, Lauren, if I'm understanding I think what we're saying is cancel all of the Workgroup 3 meetings from here on out but then, keep the Workgroup 1 and 2 meetings until the next HITAC, is that right, Andy?

Andrew Truscott - Accenture - Co-Chair

Yeah, which is the 10th.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Hey, Andy, just to close the loop, as far as putting these recommendations for Workgroup 3 into a format, I guess would you and Michael go through and pull them – I think I'm in charge of –

Andrew Truscott - Accenture - Co-Chair
Yeah. I'm going to –

[Crosstalk]

Andrew Truscott - Accenture - Co-Chair
I'm going to start another Google document. I've already got a local version of it in Word on my laptop. Actually, if one of you guys want to create another Google Doc, which is the task force recommendation and we'll start populating that. And we'll do it in the format of a letter of transmittal, I guess. Is that how we're supposed to do it?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Correct, yes.

Andrew Truscott - Accenture - Co-Chair
Cool, yeah. Which means we can write an **[inaudible] [00:25:20]** statement at the front. That's wonderful.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
And, Lauren, can –

[Crosstalk]

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
First, we'll take a quick break. I don't think we ever circled back to the operator to see if we had any public comments. Operator, has anyone dialed in?

Operator
There is no one in the cue.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Okay, great. We had to close the loop on that. Sorry, Mark, you were saying?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
I was going to say can Accel put together new Google Docs for Andy to use for that purpose?

Andrew Truscott - Accenture - Co-Chair
The final task force recommendation document, please.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

So, Mark, we'll talk offline. We can talk about this on our Friday call but it's probably best to go head and populate the template that we're going to use for the transmittal letter.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Yeah, okay. So, I guess maybe I was a little confused. I was going to do that. I guess, Andy, I have to put them into this transmittal letter, which there's a distinct format. And I'm happy to do that. I guess all I was asking, and I wasn't sure if this is what you meant by starting a new Google Doc, if you and Michael want to pull out the recommendations, proof them, make sure they're exactly what you want to be recommending and then, I can take them and put them into the transmittal letter.

Andrew Truscott - Accenture - Co-Chair

Well, why don't you give us access to the template for the transmittal letter and we'll cut out a step?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Can I do that, Lauren?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Yeah. No, absolutely, yeah. It doesn't have to be in the –

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

That works for me. I like that.

Andrew Truscott - Accenture - Co-Chair

Yeah. There's no point having you just sit there transcribing stuff. That's a waste of your time.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

I appreciate it, yeah.

Denise Webb - Individual - Member

Can I ask a question?

Andrew Truscott - Accenture - Co-Chair

Yeah.

Denise Webb - Individual - Member

So, if we're going to start this activity of starting with this workgroup's recommendation since we're done to populate the transmittal letter, how will you share the transmittal letter? Are you going to get it completed with our recommendations, Andy, and then, it will be –

Andrew Truscott - Accenture - Co-Chair

We'll start sharing it because it sounds like we can't have it as a Google Doc for some reason. But we'll start sharing it via email with all of the members of the task force so people can start seeing how the current version is going.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Yeah. And I wasn't saying it can't be in a Google Doc. I was just saying we might as well put it in the final template that we're doing to use.

Andrew Truscott - Accenture - Co-Chair

Okay.

Denise Webb - Individual - Member

It's a Word template, right?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Correct.

Andrew Truscott - Accenture - Co-Chair

It could be a Google Doc, yeah.

Denise Webb - Individual - Member

Okay, yeah. That's all I was saying is let's get it into the template, our recommendations that we're finished with that you're good to go with, Andy and then, publish it to the Google site so that when you bring everybody together, if somebody wants a word changed or something, we can do it collaboratively and get it done.

Andrew Truscott - Accenture - Co-Chair

Yeah. That's fine. I'm really glad that there are no members of the public listening to this because we've just gone around in a big circle back to let's have the Google Doc, please, and we'll populate that, Mark, Lauren, with the template wording directly. Done.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Done.

Andrew Truscott - Accenture - Co-Chair

Magic. That was a very big circle. In fact, that was 50 percent of the length of the call.

Denise Webb - Individual - Member
Well, sometimes, you have to work it out.

Andrew Truscott - Accenture - Co-Chair
It does. Okay. Have we got any members of the public wanting to make any comments one last time?

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
I think we may have already closed the public lines.

Andrew Truscott - Accenture - Co-Chair
Okay.

Denise Webb - Individual - Member
And nothing in the chat so I think we're good.

Andrew Truscott - Accenture - Co-Chair
Okay. In which case –

Morris Landau - Office of the National Coordinator for Health Information Technology- Backup/Support
So, one quick thing, this is Morris, I'm sorry, Andy.

Andrew Truscott - Accenture - Co-Chair
Go on, Morris.

Morris Landau - Office of the National Coordinator for Health Information Technology- Backup/Support
Sorry about that. It's just a question. So, Mark, do we need to have the meeting on the 8th or can it be moved? I do think it's important that you're there since it's really been Mark doing the heavy lift.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
Yeah. I think we're not going to do it on the 8th if I was understanding, and we're going to have in person or call in on the Thursday after HITAC if people are available.

Andrew Truscott - Accenture - Co-Chair
Actually, that wasn't my understanding. My understanding was that we were doing the morning of the 8th and we were going to do the morning of the 11th.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Oh, okay.

Morris Landau - Office of the National Coordinator for Health Information Technology- Backup/Support

Okay. That's fine but I just wanted to confirm. Or if you had any other thoughts, Mark, I'm fine either way. Whatever your thoughts are on that.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Yeah. I guess if that's when you want to have it, that should be fine.

Andrew Truscott - Accenture - Co-Chair

Mark, the reason why is otherwise, you've only got one hour of task force before we get to the 10th and I don't think that's enough. Hang on a second. And we're cutting back on the workgroups legitimately but we need some time to finalize or at least get some of our recommendations into the straightforward set and then, discussed before the 10th. So, it's just a matter of climbing.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

I get that. What about could we use one of the two hour blocks that Workgroup 3 had to try to have a full task force meeting?

Andrew Truscott - Accenture - Co-Chair

You can try. You've only got a week to do it in though. People's calendars are normally tricky.

Denise Webb - Individual - Member

It's on Thursday from 4:00 to 6:00 Eastern.

Morris Landau - Office of the National Coordinator for Health Information Technology- Backup/Support

On April 4?

Denise Webb - Individual - Member

Yeah.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

I'm just trying to find another time just because I would like to – I feel like I've been involved in all three groups so it would be helpful to be able to –

Andrew Truscott - Accenture - Co-Chair

You're being very precious about this.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

I'm being very what?

Andrew Truscott - Accenture - Co-Chair

You're being very precious about this. We can ask the task force if they can make that Workgroup 3 slot. But if they can't, it's going to need to be on the morning of the 8th.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Yeah, that's fine. I understand. So, the understanding is though that there would also be one – is the plan to have it on the 5th, the 8th, and the 11th?

Andrew Truscott - Accenture - Co-Chair

Yeah. Because the 5th is going to be the first time we're actually going to sit there as a group and look at all of the recommendations together and on the gaps. And we're going to start getting cooking on the gaps. We'll finish off the gaps on the 8th, the second one. And then, we're at least in reasonable shape for the 10th. And then, coming out of the 10th and the feedback from the full HITAC, we can update on the 11th. There is a –

[Crosstalk]

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer

Mark, we'll just need to put together just a detailed email to the group kind of laying out the series of meetings and why we're having them so often leading up to the meeting.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Yeah, I can do that. Just a note, Andy, I guess it would be too soon but there is also Workgroup 3 does meet on Tuesday, April 2.

Andrew Truscott - Accenture - Co-Chair

I hear what you're saying but the problem is that we need time to get the drafting done from the other group still.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Yeah, no, that's right. That's a good point.

Andrew Truscott - Accenture - Co-Chair

Workgroup 1's homework is only due on the morning of the 2nd.

Denise Webb - Individual - Member
I must have declined that meeting because it's not on my schedule for April 2.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
It's cancelled anyway.

Denise Webb - Individual - Member
Okay.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
So, Lauren, I should draft an email that explains all of this then.

Lauren Richie – Office of the National Coordinator for Health Information Technology - Designated Federal Officer
Yeah. That would be helpful.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
Okay. Let me write that down.

Andrew Truscott - Accenture - Co-Chair
Do you understand it all, Mark?

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
That's why I was going to repeat it to make sure. So, the best case – so we're locked in for the meeting on April 5, which we had planned already. And we're locked in for April 11 on Thursday. And then, we want to do one of two other days, which would be either April 4 in the normal Workgroup 3 meeting or April 8.

Andrew Truscott - Accenture - Co-Chair
Yes. You're right. And don't forget, if you put it on the 4th, you're going to move things around and tighten our cadence for getting this work done.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead
Okay. So, you're saying you want the 8th. You're the chair.

Andrew Truscott - Accenture - Co-Chair

Yeah.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Okay. Then, we just do the 8th. That's fine. And I probably can't make it but we'll have some backups there.

Andrew Truscott - Accenture - Co-Chair

And I appreciate that you'd like to be there but I also need to give the task force members time to get their thoughts together because it's proven problematic, as you know.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Yeah. That's fine. That's fine. No problem.

Denise Webb - Individual - Member

It will be okay, Mark.

Andrew Truscott - Accenture - Co-Chair

We'll take care of Morris. It's okay.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

No, to be honest, it's a nice little break for me probably.

Andrew Truscott - Accenture - Co-Chair

If you want, we can spend two hours and change seven letters if you want.

Mark Knee - Office of the National Coordinator for Health Information Technology - Staff Lead

Okay.

Morris Landau - Office of the National Coordinator for Health Information Technology- Backup/Support

I was going to say, Andy, you're going to be the person with the Google Doc because I have not – Mark has been leading the charge so I will do the best I can as we work on the 8th if that's what you want to do. So, I'll be there.

Andrew Truscott - Accenture - Co-Chair

Morris, you have been a veritable oracle of knowledge about the drafting behind this and you've been insanely useful so far with Mark. Thank you very much for taking the time on the 8th as well.

**<u>Morris Landau - Office of the National Coordinator for Health Information Technology-
Backup/Support</u>**

No worries.

<u>Denise Webb - Individual - Member</u>

And if you're not comfortable with the Google Doc, we have some people like Sasha that do a good job with notes. So, she can help.

<u>Andrew Truscott - Accenture - Co-Chair</u>

I have to point out just as we sign off this call, we've got a real world captioner because I just described Morris as a veritable oracle and the caption that came up was a wealth of knowledge.

**<u>Morris Landau - Office of the National Coordinator for Health Information Technology-
Backup/Support</u>**

I'll take that compliment.

<u>Andrew Truscott - Accenture - Co-Chair</u>

Okay, guys.

**<u>Morris Landau - Office of the National Coordinator for Health Information Technology-
Backup/Support</u>**

Thanks so much.

<u>Andrew Truscott - Accenture - Co-Chair</u>

No worries, mate. Take care and I'll speak to you all next week. Good luck with the homework.