

SB 251
TASK FORCE TO STUDY ELECTRONIC HEALTH RECORDS

August 13, 2007
MINUTES

Task Force Members in Attendance √, Absent x, Representative *:

x Thomas Allen	x Paul Fowler	x Shane Pendergrass
x Stephanie Amey	√ David Gens	√ Victor Plavner
√ Peter Basch	√ Mary Hendler	√ Jack Schwartz
x Beverly Collins	x Paula Hollinger	√ Kevin Sexton
x Barbara Cook	x Aubrey Knight	√ Dorothy Snow
x Jimmie Drummond	√ Carey Leverett	√ Angelo Voxakis
√ Rex Cowdry	x Thomas Lewis	√ James Wieland
√ John Eichensehr	√ Gina McKnight-Smith	√ Ken Yale
x Michael Flores	√*Susan Newbold	

*Mary Etta Mills for Susan Newbold

I. Meeting Call to Order

Chairman Peter Basch, M.D., called the meeting to order at 3:00 p.m.

Chairman Basch welcomed Task Force members and the public to the meeting. The Chairman introduced Ms. Carolyn Quattrocki, Deputy Legislative Officer with Governor Martin O'Malley's Administration. Ms. Quattrocki said the Governor is very interested in the Task Force's activities. Chairman Basch thanked Ms. Quattrocki for attending the meeting and invited her to ask questions of the Task Force.

Chairman Basch mentioned two recent studies that reported minimal benefit from the use of electronic health records (EHRs). These reports, *The Extent and Importance of Unintended Consequences Related to Computerized Provider Order Entry*, and *Electronic Medical Records and Diabetes Quality of Care: Results From a Sample of Family Medicine Practices* are available on the Task Force webpage. Chairman Basch pointed out that these studies did not include EHRs with embedded clinical decision support capabilities, and as such, should not lead members to doubt the potential of the advanced EHR. Chairman Basch noted that the Task Force final report needs to soberly portray the benefit of technology in terms of its optimal use, and not suggest that EHRs in and of themselves create value.

Chairman Basch reported that the State Attorney General's Office provided correspondence, to questions posed by the Task Force, which is available on the Task Force webpage. The Task Force had requested clarification on the impact of the Maryland Medical Records Confidentiality Act, Title 4, Subtitle 3 of the Health-General Article, Annotated Code of Maryland, on the design and operation of a statewide health information exchange.

Chairman Basch encouraged Task Force members to read the August 2007 edition of *Health Affairs* as it related to the articles that discussed lessons learned from the Santa Barbara exchange model. Chairman Basch also invited Dr. Victor Plavner to brief Task

Force members on the status of the Maryland/DC Collaborative (Collaborative). Dr. Plavner reported that the Board of Directors had made a decision to dissolve the Collaborative. Information relating to the Collaborative's decision to disband is available at its website, <http://www.collaborativeforhit.org/>. On behalf of the Task Force, Chairman Basch commended Dr. Plavner for his personal efforts with the Collaborative, and suggested that valuable lessons could be learned from the Collaborative's efforts.

Approval of the Minutes

Dr. Rex Cowdry made a motion to approve the minutes of the July 9, 2007 Task Force meeting. The motion was seconded by Ms. Mary Etta Mills, and unanimously approved.

II. Workgroup Breakout Session Instructions from the Chairman and Vice Chairman

Chairman Basch proposed that this be the final meeting in which breakout sessions are held. He suggested that the Task Force workgroups concentrate on the policy questions yet to be fully addressed. He asked the Electronic Prescribing Workgroup to continue their discussion on Computerized Physician Order Entry systems. The Chairman asked the Electronic Patient Information Workgroup to comment on whether EHR incentives should focus only on adoption and to continue to deliberate on school health records. Chairman Basch asked the Infrastructure Management Workgroup to focus on whether the State should fund the development of an HIE system as well as its ongoing operations.

Chairman Basch reminded Task Force members that the Task Force's final report must be finalized and submitted to the legislature in four months. Sections 1 through 4 of the draft report were included in meeting handouts, and is also available on the Task Force webpage. Section V – Recommendations, is still a work in progress document, with a preliminary draft scheduled for release in September. Chairman Basch asked Task Force members to read this latest version of the draft report and provide staff with comments before the next meeting.

IV. Workgroup Sessions

Each Workgroup met for breakout sessions.

V. Workgroup Updates and Task Force Discussion

Mr. James Wieland reported on behalf of the Electronic Patient Information Workgroup (Workgroup). Mr. Wieland said the Workgroup discussed optical scanning and its impact on destroying paper records. The Workgroup participants agreed that scanning documents allowed for adequate reproduction of medical records and were suitable to replace paper records. In addition, the Workgroup thought that broad incentives were needed to expand the adoption of EHRs. The Workgroup also favored of recommending that school-based health centers adopt EHRs.

Dr. Cowdry reported on behalf of the Infrastructure Management Workgroup (Workgroup). Dr. Cowdry said the Workgroup had not finalized its recommendations with regard to a specific infrastructure exchange model. The Workgroup concluded that patients should be allowed to “opt-out” of an exchange and control the amount of information that flows through an exchange. Dr. Cowdry said the Workgroup plans to meet an hour prior to the Task Force’s September meeting to continue deliberating on their recommendations.

Chairman Basch reported on behalf of the Electronic Prescribing Workgroup (Workgroup). The Chairman stated that the Workgroup members came to the conclusion that standalone e-prescribing systems have limited value and considered them as an incremental step to EHR adoption. The Workgroup agreed that mandating adoption of e-prescribing was not necessary and discussed ways to use technology to track changes in electronic prescribing. Chairman Basch said this Workgroup supported the use of incentives to increase adoption and the use of health information technology.

VI. Closing Remarks by the Chair

Chairman Basch asked the public for any comments, and none were received. The Chairman reminded Task Force members to review and provide staff with comments on the draft final report prior to the September meeting. The next Task Force meeting will be held on September 10, 2007 at 3:00 p.m. Please note that the Infrastructure Management Workgroup will meet at 2:00 p.m. There being no further business, the Task Force meeting was adjourned at 5:05 p.m.