



The MARYLAND HEALTH CARE COMMISSION

Health Information Exchange Policy Board Operating Guidelines

Background

Maryland law (Health-General Article §§4-301 and 4-302) effective on October 1, 2011, requires the Maryland Health Care Commission (MHCC) to adopt regulations for the privacy and security of protected health information exchanged through a health information exchange (HIE). The MHCC assembled an HIE Policy Board (Policy Board), a staff advisory group, to develop privacy and security policies for HIEs operating in Maryland. The policies developed by the Policy Board are used to inform staff in the development of proposed HIE regulations.

Duties

The Policy Board advises MHCC staff on the development and evaluation, of policies regarding the privacy and security of protected health information exchanged through an HIE operating in the State. The recommendations of the Policy Board aim to: 1) maximize the benefit of HIE for health care consumers and providers, 2) mitigate potential privacy and security concerns for consumers, 3) promote consumer control over the use of and access to consumer health information, to the extent technically feasible, 4) support current law, 5) minimize overall costs to the health care system, and 6) facilitate public health and appropriate research uses.

Participation

Individuals are selected based upon broad stakeholder representation. Stakeholders with an interest in developing HIE policies and have been employed by a Maryland-based organization or resided in the State with experience in health care, health information technology or other related field may become a participant on the Policy Board. Participants are expected to represent their organization or, as an individual, the interest of a health care consumer. Participants will consist of individuals representing the following industries:

- Health care consumers;
- Health care providers;
- Payer organizations;
- Business community; and
- Public health organizations



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Workgroups

The Policy Board will perform their duties in a workgroup environment, where members will, among other things, draft policies for recommendation to MHCC staff, including any recommended changes to current policies and HIE regulations. The workgroup meetings are facilitated by MHCC staff.

Decision Making Process

The Policy Board meetings are open to the public and consist of an informal process where MHCC staff works with the participants to achieve a majority of participant support on proposed policies. The general decision making process includes: 1) the Policy Board will identify policies for development or changes to existing HIE regulations, 2) the outcome of the workgroup deliberations will be a recommendation(s) to MHCC staff, 3) the workgroup results in draft form will be shared electronically with all members. A legal review of final recommendation will be conducted by MHCC legal staff. Any Policy Board recommendations that do not pass legal review will be shared with members so that the Policy Board may make revisions to its recommendations.

Meetings

The Policy Board convenes about six times per year. The meeting schedule detailing the location and time of the meetings will be available on the Policy Board webpage located on MHCC's website at: http://mhcc.maryland.gov/mhcc/Pages/home/workgroups/workgroups_hie_policyboard.aspx.

Members will receive meeting notification via e-mail approximately two weeks prior to the meeting date. The notification will include a reminder about the date, time, and location of the meeting, and any meeting materials available. Participants are requested to confirm their attendance in meetings upon receipt of the meeting notification e-mail. All meetings of the Policy Board are open to the public. The Policy Board may invite the public to present on specific topics, either on its own initiative or in response to a request from a member of the public.