CalPSAB Privacy Advisory Committee Meeting March 22, 2011

Call In Number: (877) 841 - 9268
Call In Code: 294459

GoToMeeting Link:
https://www1.gotomeeting.com/register/926076768

Agenda

- **Security Committee Update**
- **Re-cap of activities since December meeting**
  - ***Security Committee Update***
  - ***Privacy Committee charter adopted***
    - ***Privacy Committee meets bi-weekly***
  - ***Privacy issues list generated and prioritized***
  - ***Task groups started, meeting weekly***
- **Privacy issues list**
- **Secondary Use & Disclosure Task Group**
- **Patient Consent & Informing Task Group**
- **Q & A**
- **Meeting wrap up**

Security Committee Update

Security Guidelines

- Dec10 – Advisory Board unanimously approves 20 of 51 Guidelines
- Feb11 – Advisory Board unanimously approves remaining 31 guidelines
- The Security Guidelines are fully aligned with HIPAA and HITECH as expanded in scope to account for HIE.

Security Guidelines

- Guidelines developed & vetted twice over a period of six months (Apr09 to Oct09).
- HIPAA Security Standards are foundational basis of the Security Guidelines.
- NIST and ISO/IEC-based Guidelines created for identified HIE security gaps
- Two significant Guidelines
  - 2FA required for unsecured access to IHI (de facto standard)
  - Attribute-based Authorization (aligned with NHIN)

Security Guidelines

HIPAA Standards	Guidelines
1. Scope applies to CEs & BAs	1. Scope applies to IHI
2. Created for portable healthcare	2. Created for eHIE
3. HIPAA Only	3. Based on HIPAA • NIST & ISO/IEC Guidelines added for identified gaps
4. Required & addressable standards	4. All Guidelines required (applicable to IHI)
5. Very general	5. More specific

Privacy Committee Update

Re-cap of Activities Since December

- **Privacy Committee charter adopted December 2010**
- **List of privacy issues generated and prioritized**
- **Task groups started**

Privacy Issues List

1. Patient consent and informing
2. Secondary uses of data
3. Privacy risk management: incident response, auditing (accountability)
4. Sensitive health information/data segregation
5. Patient identification – Patient Master Index
6. Data retention/e-discovery
7. Business associate & data use agreements
8. Entity access to the HIE (pull) and (push)
9. Patient access to the HIE
10. Personal health records
11. Privacy in the cloud
12. CalPSAB guidelines and prohibition of use of HIOs for Meaningful Use compliance
13. De-identification/Re-identification

Secondary Use & Disclosure Task Group

Secondary Use & Disclosure Task Group Plan Document

Secondary Use & Disclosure Plan Document

Secondary Use & Disclosure Task Group Activities

- **Types of inappropriate secondary use & disclosure identified**
- **Subject matter expertise needed for Business Associates and Data Use Agreements**

Patient Consent & Informing Task Group

Patient Consent & Informing Task Group Plan Document

Patient Consent & Informing Task Group Plan Document

Patient Consent & Informing Task Group Activities

- **Work product identified**
  - **Whitepaper under development**
- **Consent Form and Patient Informing Materials**

Questions?

General Comments

All comments and SME volunteers can be sent to Tracy Meeker at: tmeeker@ohi.ca.gov

Next Privacy Advisory Group Meeting

Thursday, June 23, 2011, 2:00 – 3:30 pm