



Department of Health

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DRAFT
MEETING MINUTES
Rhode Island All Payer Claims Database
Data Release Review Board Meeting
Friday, September 30th 9:00 am – 10:00 am
Room 401, RI Department of Health
3 Capitol Hill, Providence, RI 02908

Members Present:

Solmaz Behtash
Michael Lichtenstein
Lawrence Rothstein
Amy Black
Ira Wilson
Kenny Alston
Cory King
Melissa Lauer (proxy for Kimberly Paull who is out on medical leave)

Members Absent:

Monica Neronha
Patrick Tighe
Betsy Stubblefield-Loucks

Staff Present:

Nicole Alexander-Scott, Director, Department of Health
Alyssa Ursillo, Freedman HealthCare
Samara Viner-Brown, Department of Health
Amy Zimmerman, Executive Office of Health and Human Services
Siena Napoleon, Department of Health

1. Welcome and Roll Call

The meeting was convened at 9:00 by Board Chair, Dr. Solmaz Behtash.

2. Approval of April and May Meeting Minutes

The Board approved the April and May meeting minutes with no changes. Kenny Alston recused himself from voting on the May minutes because he was not present at the meeting.

3. Update on APCD Analytics and Data Release Timeline

Ms. Ursillo provided an update on the recent change to the APCD analytics strategy that the State is pursuing. The State's original APCD data vendor model involved three vendors: Arcadia, the Lockbox services vendor who is responsible for flagging members who have opted out and de-identifying data;

Onpoint, the data aggregation vendor who collects and process the data; and 3M, the analytics vendor who makes the data accessible to the state via a business intelligence tool. The State has decided to no longer work with 3M, and instead implement an analytics strategy that brings improved functionality and control of data in-house. To support this transition, the State recently issued an RFP for a new data vendor contract, which includes both data aggregation and analytics services. The anticipated contract start is January 2017. In the interim, Onpoint will provide data management and analytics support for the APCD, including:

- Producing Level 3 extracts;
- Supporting the Care Transformation Collaborative (CTC), Rhode Island's PCMH program that intends to use APCD data for evaluation and practice performance measurement purposes – this request will come through the Board;
- Running other queries for the State as needed.

In assessing the State's and Onpoint's current resources, the State decided to put Level 2 data set production on hold, and to focus Onpoint's resources on producing Level 3 files, as the State has received several inquiries for these.

Dr. Lawrence Rothstein asked what the RFP is asking for if the APCD services are being brought in house. Ms. Ursillo clarified that by law, the lockbox services must be contracted out as the State cannot receive identified data. The vendor will also be responsible for data collection and aggregation services, but will send an extract to the State to be loaded into a state-hosted environment. The vendor will also support the State in mapping the data to state-licensed business intelligence tools, as 3M's tool was proprietary. Dr. Behtash asked if this was the model other states used. Ms. Ursillo responded that it depends on the State. Rhode Island's model is a mix between a fully state-run and external vendor model.

Amy Zimmerman from EOHHS pointed out that the Onpoint contract will expire in December, and so the State is required to go back out to bid for these services. Therefore, this was a natural time to look at streamlining vendors, moving services in-house, and combining analytics and aggregation to increase control. Mr. Alston asked if vendors need to bid on all services in the RFP, or if vendors can bid for separate services. Ms. Ursillo clarified that it is one RFP and only one prime bidder could respond, but the bidder would be required by law to subcontract for lockbox services. The prime vendor could choose to subcontract for additional services as well. Dr. Rothstein asked if Onpoint would bid on the RFP. Ms. Ursillo noted that they are allowed to bid.

Ms. Ursillo reviewed how this change in analytics strategy affects the data release timeline. Level 3 applications should be available on the HealthFacts RI webpage by early November. Any applications received will be posted for public comment by November 25th, to allow for ten business days before the next Board meeting. The Board will review the first application received at the December 9th meeting. By mid-December, Onpoint will have completed extract production. The State anticipates transferring data to the applicant by February, assuming the request is approved after the Dec. 9th meeting.

Ms. Ursillo noted that the Level 3 application is complete and provided Board members with a copy. She explained that the staff has been unable to find a survey application that allows for applicants to both attach documents to their application and save the application to resume at a later date. The temporary solution will be to post a PDF copy of the application to the website for applicants to review before starting the online application. The staff is continuing to look into other survey applications that allow for both functionalities. Dr. Ira Wilson asked to whom he should refer people who are interested in applying for data. Ms. Ursillo responded that he can refer people to her directly.

Michael Lichtenstein asked to discuss further the CTC project and what the Board's role would be in reviewing this request. Ms. Ursillo responded that this request will be part of a new "business partnership" model that the Board will discuss at the next meeting. Dr. Wilson asked if the "business partner" concept was being used to frame the relationship with CTC. Ms. Ursillo clarified that yes, this would be an ongoing relationship with CTC and they would receive updates and analytic support as needed. Dr. Wilson suggested a discussion on how other entities can become business partners and that this would be mutually beneficial for the entity and the State. Ms. Ursillo clarified that this model would not be limited to CTC, and would most likely be contract-based. Mr. Lichtenstein clarified that his organization submits data to CTC and he would likely have a conflict of interest for this request. Ms. Ursillo clarified that next meeting's discussion will be about the partnership model in general, but the CTC request will come to the Board in the future, at which point he can recuse himself.

Ms. Ursillo then gave an update on the feedback from the potential user webinar held in June. The purpose of this webinar was to get feedback on the usefulness and pricing of level 2 data sets, given that some data will be suppressed due to small cell sizes. During the webinar, three options for Level 2 requests were presented to potential users:

- From the menu, in which the state suggests pre-determined data sets that have minimal data suppressed;
- Customized request, in which users create their own data set based on a list of available data elements. This list allows APCD staff to determine the impact of cell suppression prior to file production;
- Off menu request, in which users request data elements that are collected by the APCD, but not on the list of available elements for level 2 files. For these requests, there is no way for APCD staff to determine the impact of cell suppression before file production, and so users must pay for the file regardless of the amount of data excluded.

Ms. Ursillo shared that potential users thought these three options were useful and reasonably priced. Based on this, the staff will move forward with these options once the new vendor contract is in place. The state does not anticipate the Board needing to review the Level 2 format again, as all data sets will follow their cell suppression recommendation.

Mr. Lichtenstein asked what the price range would be for level 2 data sets. Ms. Ursillo noted it would be \$500-750 per data set. Dr. Rothstein asked whether a custom data set, once produced, would become pre-determined data set option. Ms. Ursillo said this was a good idea. Dr. Rothstein asked which data elements users suggested be added to the pre-determined data sets. Ms. Ursillo explained that suggestions were mostly around having the same data elements within each file type.

Dr. Behtash asked for clarification on how the percentage of members and dollars suppressed is calculated. Ms. Ursillo explained that in the files, any rows with a value of less than 11 would not be displayed, excluding a certain percentage of members and associated dollars from the file. On the webinar, users noted that suppressing more than 15% of members or dollars is problematic, but less than that is workable. Dr. Wilson commented that the State is not proposing a limit on the amount of data suppressed, but is rather informing the user for them to then decide if the data is still useful for their purposes. Mr. Alston asked what the threshold for small dollar amounts was. Ms. Ursillo clarified that the CMS cell suppression rule is based on number of members, not number of dollars.

4. Approval of Board Business Rules

Ms. Ursillo introduced the draft DRRB Business Rules, which were discussed during the May meeting. The rules define the APCD staff role, the Board's role, whether applicants can participate in meetings during which their proposal is being reviewed, voting procedures, and the Director's role.

Mr. Lichtenstein asked whether there should be a reference to Board member conflicts of interests and a policy for when members need to recuse themselves. He also suggested changing the language of the voting procedures from “requesting” a motion to “making” a motion. Dr. Wilson commented that on the recusal issue, there is a difference between not voting and leaving the room, and suggested that leaving the room might inhibit the learning process for reviewing requests. He suggested that for conflicts of interest, members recuse themselves from the vote but not the discussion, except in certain circumstances. Dr. Behtash noted that if there is a conflict of interest, the Board member should make this known at the beginning of the meeting before the discussion. Dr. Wilson suggested it be disclosed before the meeting.

Amy Black suggested that the business rules need to be clear about what a conflict of interest is and what it means for members representing state agencies. For example, if a state agency comes forward with a request outside of what is normally available to them, or is partnering with an outside agency. Dr. Wilson noted that there is a distinction between a state agency request, and when an external agency is involved. Ms. Black clarified that she was thinking about access above and beyond the state’s existing access, and it would most likely be when the state partners with an outside agency. Cory King asked if when the state is contracting with an outside vendor to do an evaluation and the vendor is storing and managing the data, the request has to come through the Board, or whether working for a state agency exempts them from this process. Dr. Wilson commented that if the State has contracted with an outside vendor, they have most likely already gone through a vetting and security agreement process. Mr. King agreed that the state would presumably have a security agreement within the contract. Ms. Ursillo commented that if a contracted party is acting as a state actor, then they are subject to the same requirements as state agencies. The question is whether the Board should be involved if the data is going directly to an outside agency that is responsible for storing and managing that data.

Ms. Black asked whether it would be a conflict of interest for state staff representatives if the Board were reviewing a request in which the state was a partner. Mr. King gave the example of a SIM grant evaluation, in which all of the state staff representatives are involved. Dr. Wilson commented that if the state already has a DUA in place with the vendor, then it doesn’t seem like the Board needs to re-evaluate the vendor. Mr. Lichtenstein noted that this might not be the case because the APCD data has its own requirements, and the Board should review the request before claims data is sent. Ms. Black agreed and noted the issue was with the source of the data, and whether the existing agreements cover APCD data. Dr. Rothstein commented that the Board only makes a recommendation and that any applicant for Level 3 data needs to come to the Board. Ms. Ursillo commented that the APCD staff should have an internal discussion with the Legal team to determine where the line is drawn with state requests, and return to this discussion with the board during the next meeting.

Mr. Lichtenstein asked what other states have done with the conflict of interest issue. Dr. Wilson asked how a state agency could possibly have a conflict of interest. Ms. Black noted it is important for state agency representatives to be sure they’re not taking advantage of their own access. Dr. Alexander-Scott asked Dr. Wilson if his question was distinguishing between a state agency working with an outside entity or just an agency working alone. She noted that if it’s just a state agency, there is no conflict; the conflict only happens when there is an outside partner. Mr. Alston commented that it was important for members to remind themselves that they are subject to a code of ethics, and should think about whether they have direct financial interests that would bias them. Dr. Rothstein clarified that he thought the Board should review all requests, regardless of affiliation.

The Board decided to hold off on approving the business rules until they were revised based on the state's internal discussions, and to vote on the revised version next meeting.

5. Review Privacy and Security Standards

Due to time constraints, the Board decided to discuss this item at the next meeting.

6. Public comment

There were no public comments.

7. Next Steps and Adjourn

The Board will discuss the business partnership model at the next meeting, and review and approve the revised business rules. The Board plans to review the first application received during the December 9th meeting. If no applications are received, the December meeting will likely be canceled. The meeting was adjourned at 10 am.