

**NEVADA HEALTH INFORMATION EXCHANGE BOARD OF DIRECTORS  
TECHNOLOGY COMMITTEE  
MEETING MINUTES  
February 12, 2013  
9:00 AM**

**Teleconference Call**

**COMMITTEE MEMBERS PRESENT**

**COMMITTEE MEMBERS EXCUSED**

Leo Basch, PharmD – Acting Committee Chair

None

Brian Labus

Ernesto Hernandez

Sherri McGee

Todd Radtke

Lynn O'Mara, Ex officio

**DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) STAFF PRESENT:**

Amber Joiner, Deputy Director, DHHS

Stefani Hogan, Director's Office, DHHS

Megan May, Director's Office, DHHS

**OTHERS PRESENT**

Tracy Okubo, ONC

Carolyn Cramer, NHIE Pro bono legal counsel

Erick Maddox, HealthInsight

Rachel Papka, HealthInsight

**1. Call to order, roll call, determination of a quorum and announcements**

Dr. Basch called the meeting to order at 9:02 am. Ms. Hogan called the roll, and informed Dr. Basch that a quorum was present.

**2. Public comment**

There was none.

**3. Establish the Technology Committee on behalf of the NHIE Board**

Dr. Basch stated the following for the record: "The Nevada Health Information Exchange Technology Committee is hereby established, in accordance with the Nevada Health Information Exchange Bylaws. Technology Committee members appointed by the Board are: Board members Leo Basch and Brian Labus, Ernesto Hernandez, Sherri McGee, and Todd Radtke. Ex officio members are Lynn O'Mara and the NHIE CEO. This Committee is required to comply with Nevada Open Meeting Law." He recommended that Committee members review Section Eleven of the NHIE Bylaws regarding Conflicts of Interest. Dr. Basch reminded non-Board committee members to complete the required committee member application, and send it to Stefani Hogan, if they had not done so already. For more information about Nevada's Open

Meeting Law, he referred Committee members to the Nevada Open Meeting Law Manual published by the State Attorney General and available on her Web site.

#### **4. Present, Discuss and Approve the committee's goal and scope of work**

Dr. Basch stated that the NHIE Board authorized a goal and scope of work for this Committee, and presented these to the members:

- The Goal of the 5-member Technology Committee is to provide input and feedback to ensure that the technology infrastructure of the statewide HIE system supports the needs and public interest of Nevada residents, complies with federal and state laws, and meets federal standards for interoperability, privacy and security.
- The Committee's Scope of Work includes: 1) Assisting the CEO with the vendor competitive bid process, including providing feedback and guidance regarding any RFPs and the selection process; 2) Making recommendations to the Board and/or the CEO regarding HIE standards, interoperability, and data privacy and security; 3) Assisting the CEO by providing feedback and guidance regarding data access, data use/sharing agreements, data protection and storage, implementation and interoperability issues, office systems hardware and software selection, and vendor maintenance agreements; 4) Making recommendations to the Board and/or CEO regarding the functionality of the Master Patient Index and Master Provider/Entity Directory; 5) Making recommendations to the Board regarding the fostering and maintenance of the NHIE as a trusted entity for the electronic exchange of Protected Health Information; and 6) Making recommendations to the Board and/or the CEO regarding intra-state, interstate and nationwide HIE.

**MOTION: Mr. Labus moved to accept the scope of work as outlined by Dr. Basch.**

**SECOND: Mr. Radtke**

**PUBLIC COMMENT: None**

**APPROVED: UNANIMOUSLY**

#### **5. Discuss and Elect the committee chair and vice chair**

Each Committee member shared their career background and experience. This was followed by a discussion of who was interested in serving serve as the Committee Chair. Ms. McGee nominated D. Basch as the chair, and declined any nominations as chair or vice chair, due to work priorities. Dr. Basch accepted the nomination. After discussion regarding the election of a committee vice chair, Dr. Basch commented that since there were three Board members on the committee who could act as vice chair, the formal election of the position was not necessary. The Committee members agreed.

**MOTION: Ms. McGee motioned for Dr. Basch to be the Committee Chair.**

**SECOND: Mr. Radtke**

**PUBLIC COMMENT: None**

**APPROVED: UNANIMOUSLY**

**6. Discuss current RFP document, including but not limited to, completeness, correctness, sections requiring additional work and/or further review, and Determine modifications and/or next steps**

Dr. Basch asked Ms. Cramer to lead the discussion regarding the RFP. Ms. Cramer reported that she had been in touch with George Taylor, at the State Attorney General's Office, regarding compliance with Open Meeting Law. It seemed to her that the desired RFP elements would be discussed during an open meeting, and the actual development of the final document could be done confidentially, to prevent potential bidders from having an unfair advantage. Ms. McGee suggested that the Committee consider using the State of Nevada Purchasing guidelines for what is and what is not confidential. Dr. Basch asked how the State's RFP process worked. Ms. McGee explained that the RFP could be developed and discussed without following open meeting law. Ms. Cramer said that since the RFP development was a working document, she did not believe it had to be done in a public meeting. Mr. Hernandez asked what could and could not be done under this process. Ms. O'Mara suggested that since the RFP was being issued by the NHIE, then it ought to seek guidance from its own legal counsel. She also outlined the federal requirements for the RFP, based on the State HIE grant terms and conditions which would fund the RFP award. Ms. Okubo commented that the NHIE was not required to follow the State's procurement process, and did have to meet federal requirements. The Committee then discussed the process for developing the RFP, and agreed that the work could be done via teleconference working sessions.

**MOTION: Mr. Radtke motioned that the development of the RFP be done in a closed working group forum with the review open to the public**

**SECOND: Mr. Hernandez**

**PUBLIC COMMENT: None**

**APPROVED: UNANIMOUSLY**

**7. Discuss and Determine committee timeline for RFP process, including but not limited to, next steps, RFI/RFC/RFP, and future meeting date(s) & times**

Dr. Basch led a discussion of the timeline for the RFP development, with the goal of having a draft for public review in 5-6 weeks. The Committee also discussed the kinds of information that would need to be included in the RFP document and possible sample RFPs to reference. The Committee scheduled their first RFP work session for February 13, 2013 at 5:00pm.

**8. Discuss and Determine future meeting date(s) and/or agenda items**

Deferred at this time.

**9. Public Comment**

There was none.

**10. Adjournment**

There being no further business to come before the NHIE Technology Committee, Dr. Basch adjourned the meeting at 9:53am.

**CERTIFICATE OF SECRETARY**

I, Lindsey Niedzielski the undersigned, the duly elected and acting Secretary of the NEVADA HEALTH INFORMATION EXCHANGE (A Nevada Non-Profit Corporation), do hereby certify that the foregoing Meeting Minutes of said Corporation are a true and correct reflection of the CEO and Staffing Committee's Meeting held on the 12 day of February, 2013.

  
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Lindsey Niedzielski, Secretary