



**Integrated Population Health Data (iPHD) Project
Governing Board Meeting Minutes
August 21, 2020**

1:00 PM-2:30 PM EST

iPHD Governing Board meeting convened in compliance with the New Jersey Open Public Meetings Act. All participants attended the meeting virtually due to the Covid-19 pandemic restrictions.

Board Members Present:

Rachel Hammond (Chair and Designee for the Commissioner of Health Data Privacy Officer, NJ Department of Health), Francis Baker (Ex officio/Designee for the NJ Attorney General, Deputy Attorney General, NJ Office of the Attorney General), Greg Woods (Ex officio/Designee for the NJ Commissioner of Human Services, Chief Innovation Officer, Division of Medical Assistance and Health Services Department of Human Services), Joel Cantor (Ex officio/ Non-voting, Director of Rutgers Center for State Health Policy), Dr. Rashmi Jain (Appointed- Big Data/Security Expert, Chair of Information Management and Business Analytics, Montclair State University), Elizabeth Litten (Appointed- Legal & Privacy Expert, Partner and Chief Privacy & HIPAA Compliance Officer, Fox Rothschild LLP), and Kathleen Noonan (Appointed- Chief Executive Officer, Camden Coalition of Healthcare Providers)

Attendees:

Margaret Koller (Rutgers Center for State Health Policy), Mark McNally (NJ Office of the Attorney General), Suzanne Borys (Division of Mental Health & Addiction Services), Yong Sung Lee (NJ Department of Health), Tim Seplaki (NJ Department of Health), Ken O'Dowd (NJ Department of Health), Darrin Goldman (NJ Department of Health), Barbara Bolden (NJ Department of Health), Debra Morgan (NJ Department of Health), Stella Tsai (NJ Department of Health), Bhavani Sathya (NJ Department of Health), Felicia Wu (NJ Division of Medical Assistance and Health Services, Department of Human Services), Jon Tew (Camden Coalition of Healthcare Providers), Jose Nova (Rutgers Center for State Health Policy), Oliver Lontok (Rutgers Center for State Health Policy), Katherine Kovacs (Rutgers Center for State Health Policy), Jolene Chou (Rutgers Center for State Health Policy), and Manisha Agrawal (Rutgers Center for State Health Policy).

Call to Order/Opening Remarks

- R. Hammond called the meeting to order at 1:05 pm with a quorum present.
- R. Hammond acknowledged that the meeting was being held in compliance with the 1975 NJ Open Public Meetings Act and that there was a publication of meeting time and location in two NJ print publications (Newark Star Ledger and The Times of Trenton) and on the Rutgers Center for State Health Policy (CSHP) website. Information regarding transition from an in-person to virtual meeting due to the Covid-19 pandemic was posted in the publications and on the CSHP website.

General Updates/Actions

Updates from the Chair

- R. Hammond announced that Robert J. Bartolone, Chief Accountability Officer, Office of Management and Budget, has joined the Governing Board as a designee for the NJ State Treasurer. Mr. Bartolone was not in attendance at this meeting.
- R. Hammond highlighted the continuing challenges to health and safety during the public health emergency in NJ.
- R. Hammond mentioned that New Jersey Department of Health (NJDOH) would provide an additional \$100,000 in funding to support iPHD implementation activities over the next year. She acknowledged Natassia Rozario, Director of Opioid Policy and Response, for her role in securing the additional funding.

Meeting Minutes

- R. Hammond requested board members review the May 15, 2020 Governing Board meeting minutes (approved by Minutes Subcommittee on June 11, 2020).
- G. Woods made a motion to approve the May meeting minutes. E. Litten provided the second and, upon roll call, the minutes were approved unanimously.

Subcommittee Updates

- **Technical:** M. Koller provided the technical update in Michele Norin's absence.
 - No technical subcommittee meetings were held since the last Governing Board meeting in May.
 - J. Chou has completed the policy crosswalk for all domains identified as relevant for iPHD. J. Chou and Tom Regan, Director of IT for Rutgers

Institute for Health, are working on the gap analysis between NJ Office of Information Technology (OIT) and Rutgers IT policies.

- Rutgers IFH/CSHP has initiated the process of completing the State of NJ Security Due Diligence (SDD) third-party security information questionnaire. It is intended to ensure the security and privacy of State information systems and information, regardless of the location or the party responsible for providing the systems, applications, or services.
- Rutgers OIT recommended against providing detailed security policies on the website because that may inadvertently compromise security.
- **Legal:** E. Litten provided an update on the activities of the legal subcommittee.
 - The legal subcommittee meeting was held on August 6, 2020. Discussion topics included the Data Use Agreement (DUA) between Rutgers and NJDOH, the Memorandum of Agreement (MOA) between the Governing Board and Rutgers, and the data privacy memos for the birth, mortality, Uniform Billing (UB), and Emergency Medical Services (EMS) data sets.
 - R. Hammond completed her review of the DUA between Rutgers and the NJDOH. The agreement is now pending review at the Attorney General's (AG) office. As per M. McNally, the COVID data portion of the DUA added an additional layer of review from the COVID legal team.
 - The AG's office has rendered a legal opinion that allows COVID data sharing for IRB approved research purposes and allows DOH to share the Communicable Disease Reporting & Surveillance System data (CDRSS), following the established process for data sets to be included in the iPHD project.
 - The MOA between the Governing Board and Rutgers is pending review at the AG's office. M. McNally expects the review to be completed by the end of the year.
 - J. Chou raised the issue if a data clearinghouse designation is applicable for Rutgers CSHP. M. McNally does not believe the designation applies in the context of CSHP/iPHD's role. Further investigation will be undertaken to confirm.
 - The process for reviewing the legal memos also was discussed. M. McNally prefers the memos to be cleared by the AG's office. R. Hammond suggests sharing the memos with the data stewards from the agencies for

the identified data sets, who can then share the memos with their designated AAG or DAG for review and legal opinion.

- K. Noonan asked about the additional protections required if Rutgers CSHP is designated a data clearinghouse. E. Litten responded that it would change the role of the iPHD and make it a covered entity. All covered entities are required to comply with all HIPAA rules to protect the privacy and security of health information. Business associates need to only comply with a subset of privacy rules.
- **Communication:** K. Kovacs provided an update on the activities of the Communications subcommittee.
 - No subcommittee meetings were held since the last Governing Board in May. However, progress on the website has continued. Zivtech completed site development in June and initiated testing in July. In mid-July, the Rutgers CSHP team began populating content and made small fixes on the site.
 - Because of the delay in the launch of the iPHD project, Zivtech has temporarily disengaged from the project at no additional cost to the iPHD project. Final testing and deployment of the site will resume in October/November 2020, the planned period for a soft launch.
- **COVID-19 and other Public Health Emergency:** K. Noonan, the chair of the new subcommittee provided the update.
 - The first COVID-19 & Other Public Health Emergencies subcommittee meeting was held on June 17, 2020.
 - Attendees included R. Jain, E. Litten, J. Cantor, M. Koller, J. Tew, A. Truchil (from the Camden Coalition) and other Rutgers CSHP team members.
 - Data sets with potential relevance to COVID-19 analyses include Communicable Disease Registry Surveillance System (CDRSS), education, Health Information Exchange (HIE)/hospital data, Supplemental Nutrition & Assistance Program (SNAP), and housing. A detailed description of the new research priority was reviewed. The description will be shared with the Governing Board before the November meeting.

- The July subcommittee meeting was canceled, pending the outcome of the August 6 legal subcommittee discussion on the permissibility of transferring COVID data to the iPHD.
- The group will resume in September, pending member availability.

Discussion

Implementation Timeline

- R. Hammond outlined the additional \$100k in supplemental funding from NJDOH approved for iPHD with a plan to extend the MOA for one year (new end date: December 31, 2021).
- R. Hammond mentioned that the draft DUA between Rutgers and NJDOH for transferring the initial four datasets and CDRSS dataset is under review at AG's office. The DUA has been modified to make it easier to include additional, non-NJDOH datasets in the iPHD. She added that sharing of COVID-related data requires an additional layer of review.
- J. Cantor asked if the DUA review will be staged, i.e., initial review for the four datasets followed by a COVID-related data review. R. Hammond responded that the draft DUA for all the datasets, including COVID-related data, is incorporated in one document. In the future, this will be the template for data from other agencies. Only COVID-related data requires additional review at the AG's office. If this level of review causes significant delays, a staged approach for data approval will be considered.
- The MOA between Rutgers and the Governing Board is also under review at AG's office with expected completion by the end of 2020.
- K. Noonan asked about the demand for COVID data in NJ. Are other states releasing the data sooner for research purposes?
- R. Hammond responded that there is a significant interest in COVID data access. However, they have not looked at other states since the focus has been on NJ's needs.
- K. Kovacs asked about CDRSS data availability (i.e., limited vs. de-identified) during and after the declared public health emergency.
- J. Cantor commented that all identifiers are needed for data linkage and most researchers would have interest in a limited data set.

- R. Hammond responded that NJDOH will follow OAG guidance, which allows sharing limited CDRSS datasets only during the public health emergency. After this period is over, only de-identified data will be shared.
- M. Koller mentioned that the time lag for other datasets would create an issue for linking it to the COVID and EMS datasets. T. Seplaki confirmed that EMS receives the data daily and can easily extract the current data files and share.
- B. Bolden mentioned that there is a time lag because of delays in acquiring the out-of-state data included in CDRSS. NJDOH is working on fixes to promote provisional datasets. Provisional mortality dataset for 2019 was just released, and 2020 data will be available by mid-2021. M. Koller suggested mapping out timeline for availability of each dataset.
- R. Jain asked if it is incumbent for the researchers to submit a proposal only if, they are requesting funding (since there is a lot of interest for COVID data research). R. Hammond responded that the application requirement is for both pilot and non-pilot (i.e., data only) projects.

Data Privacy Memos

- Per R. Hammond, the original purpose of the privacy memos was to assess the permissibility of data sharing to facilitate data transfer with other state agencies.
- The data privacy memos should be standardized, to the greatest degree possible. They will be shared with the appropriate DAG or AAG supporting the State agency acting in the capacity as the steward for the identified data set.

COVID-19 (and other) public health emergencies datasets

- R. Hammond asked for suggestions for other datasets available to inform the public health emergency.
- R. Hammond discussed the need to officially vote on the appropriateness of including COVID-19 data, specifically CDRSS, in the iPHD. She added that guidance is available from the AG's office that allows COVID data to be included in the iPHD for the IRB approved research purposes.
- R. Hammond mentioned that the CDRSS data is critical to drive the state's response to COVID-19, triggering contact tracing and local public health activities. CDRSS includes lab reports when an individual tests positive for COVID and other information is populated by local health departments. She added that CDRSS feeds into the CommCare module for contact tracers.

- J. Cantor asked if iPHD would have access to the entire CDRSS dataset of communicable diseases or COVID data only.
- R. Hammond answered that only COVID records will be available. There are legal and statutory restrictions on who can access the data. Sharing CDRSS data for IRB research has not previously occurred.
- K. Noonan asked if it is unusual for public health department to not allow access to datasets. How other states are handling access?
- R. Hammond responded that states have different statutory provisions governing use. For example, Pennsylvania has different confidentiality requirements than New Jersey. S. Tsai added that data are available on New Jersey State Health Assessment Data (NJSHAD) for specific diseases. NJDOH will check with other states regarding availability of their communicable disease datasets.
- K. Noonan mentioned the recent federal legislation ([21st Century Cures Act: Interoperability, Information Blocking, and the ONC Health IT Certification Program](#)) that will promote information sharing.
- E. Litten responded that this reflects a trend to make more information available to improve health care.
- S. Tsai mentioned that the complete reconciliation of 2020 CDRSS data should be completed and sent to CDC by April/May of 2021.
- R. Hammond asked if the CDRSS data would be available to the iPHD by April/May 2021. S. Tsai responded that the timeline is reasonable for planning COVID research.
- B. Sathya requested that the CDRSS team be kept informed and involved in the iPHD planning process. R. Hammond responded that a separate meeting would be scheduled for detailed discussion and planning.
- K. Noonan made a motion to include the CDRSS data for the iPHD Project. E. Litten provided the second and, upon roll call, the transfer of CDRSS data to iPHD was approved unanimously.

The open session of the Governing Board meeting was adjourned to executive session at 2:31 pm.

- G. Woods made a motion to convene executive session.
- R. Jain offered a second.
- Unanimous vote to go into executive session.