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NOTICE OF PUBLIC MEETING: HEALTH CARE PAYMENTS DATA PROGRAM DATA RELEASE COMMITTEE

**December 6, 2022
MEETING MINUTES**

Members Attending: Janet Coffman, Professor, Institute for Health Policy Studies; Genia Fick, Vice President, Quality; Cora Han, Chief Data Officer; Jan Hanley, Director of Research Programming; Terry Hill, Physician Consultant, Researcher, Writer; Koh Kerdsri, Vice President, Risk Adjustment Operations, Compliance & IT; Barbara Koenig, Professor Emerita of Bioethics; Nuriel Moghavem, Clinical Instructor of Neurology; Daniel Ruiz, Vice President, Operations Quality.

Members not in attendance: Larry deGhetaldi, Vice President Government Medical Affairs; Miranda Dietz, Project Director, California Simulation of Insurance Markets microsimulation model (CalSIM).

Presenters: Elizabeth Landsberg, Director, HCAI; Michael Valle, Chief Information Officer and Deputy Director, HCAI; James Yi, Attorney, HCAI; Dionne Evans-Dean, Cost Transparency Section Manager, HCAI; Sandra Bannerman, Research Data Manager, HCAI; Tara Zimonjic, Policy & Governance Group Supervisor, HCAI; Jonathan Mathieu, Freedman HealthCare.

Public Attendance: 34

Agenda Item I: Welcome and Oath of Office

Elizabeth Landsberg, HCAI Director, welcomed the committee and members of the public. She conducted the Oath of Office and provided an overview of HCAI's mission and vision. She also announced Nuriel Moghavem as the chair of the Data Release Committee.

Michael Valle, HCAI Deputy Director, provided a background on HCAI data programs and the Health Care Payments Data Program.

Committee members introduced themselves and their interest in this work.

Agenda Item II: Bagley Keene and Conflict of Interest Overview

James Yi, HCAI Attorney, provided an overview of the provisions of the Bagley-Keene Open Meeting Act and the Conflict-of-Interest Provisions Data Release Committee members need to be aware of.

Questions and Comments from the Committee

The committee inquired about how the quorum for this committee was set and discussed that this committee is required to have a somewhat smaller quorum than other bodies, which supports the frequency of meetings that would need to be held. The

committee also inquired about best practices to avoid serial meetings and discussed that Bagley Keene does allow for members to speak to other members outside of the public meetings, but that any business of the committee should be conducted at a public meeting. There may also be subcommittees formed, but any group of members with less than three total members is not subject to Bagley Keene.

On the topic of the conflict of interest there was acknowledgement of the need for a conflict-of-interest policy and looking to how the Committee for the Protection of Human Subjects, the California state Institutional Review Board, set theirs up could be a helpful starting point.

Public Comment:

There was one public comment inquiring about the government code that regulates closed sessions for Bagley Keene Meetings and the types of topics that would allow for a closed session under Bagley Keene.

Agenda Item III. Introduction and Overview of the HPD Program

Dionne Evans-Dean, HCAI Cost Transparency Section Manager, provided a background and overview of the HPD Program.

Questions and Comments from the Committee

The committee discussed what types of data would be included in the core data collection for the HPD and recognized that while the core data collection will include both claims and encounter data, the capitation payment and other alternative payments information associated with encounters would not be available immediately and would be collected at a future date.

The committee also inquired about the rates of data submission so far by mandatory submitters and inquired about any penalties for noncompliance. They discussed that as of right now HCAI is working directly with mandatory submitters to support submission of the data and most health plans have completed the historical data and the catch-up data for 2022. Additionally, it was noted that per statute there is no financial penalty for noncompliance; however, HCAI has the ability to report noncomplying data submitters to either the Department of Managed Healthcare or Department of Insurance.

Public Comment

There was one public comment inquiring about the source of information for the provider file, which was confirmed comes from the data submitters.

Agenda Item IV: Overview of HPD Statute

Sandra Bannerman, HCAI Research Data Manager, provided a review of the HPD statutory requirements for data access and release.

Questions and Comments from the Committee

There were no questions or comments from the committee.

Public Comment

There was no public comment.

Agenda Item V: Data Release Committee Roles & Responsibilities

Tara Zimonjic, HCAI Policy and Governance Group Supervisor, provided an overview of the Data Release Committee roles & responsibilities.

Questions and Comments from the Committee

There were no questions or comments from the committee.

Public Comment

There was no public comment.

Agenda Item VI. All Payer Claim Database (APCD) Benefit to States

Jonathan Mathieu, Freedman HealthCare, HCAI consultant, led a discussion of the benefit to California criteria for the HPD and examples from how other state APCD's define benefit for use of the APCD data.

Questions and Comments from the Committee

The committee discussed the importance of data completeness when determining appropriate use of the data, and the iterative approach other APCDs take when working with data requestors to help them ensure that their data request can be completed with the available data. There was also a discussion regarding whether the definition of "providing a benefit" is contingent on the data findings being actionable. HCAI staff explained that the definition of benefit for APCDs in other states is based on what information could be generated that could inform opportunities to improve public health and health outcomes, but those actions don't necessarily need to be taken by the researcher themselves or driven directly from the research product. There was also a discussion about how some states, such as Colorado, required data requestors to share publicly a summary of key policy findings to provide insight into how the data is being used and what was discovered.

Lastly, the committee discussed whether there would be opportunities for re-use of the data for additional studies. It was noted that while other state APCDs have an abbreviated process to amend existing applications, for the HPD these processes would need to be built out and timelines would be determined based on the complexity of the request and access method for the request.

Public Comment

There was no public comment.

Agenda Item VII: Next Meeting Topics & Discussion

Nuriel Moghavem, DRC Chair, provided a preview of the January Data Release Committee meeting agenda and final discussion and Q&A with the committee. Topics for January Meeting include:

- A deeper dive on the HPD Program
- A discussion of the Data Release Regulations
- A discussion of the approach to data access and release for the HPD program.

The January meeting will be held on January 10 from 9:30 a.m. – 12:30 p.m. and will be fully virtual via Microsoft Teams.

Questions and Comments from the Committee

Committee members provided input on future Data Release Committee topics they feel it would be important to cover to support their work in developing criteria, policies, and procedures and criteria for data access and release. The topics included:

- HPD data quality, completeness, and data file structures
- Approach and timeline for adding data sources to the HPD
- HPD data request application process workflow and turnaround time
- Approach for HPD data request re-applications for extended access to previously approved data requests
- Approaches, opportunities, and challenges for linking HPD data to other datasets
- Role of the HPD Data Release Committee, and the HPD Advisory Committee, in obtaining stakeholder input and public engagement
- Access HPD data in the event of public health emergency
- Upstream data integration and interoperability issues that may impact the HPD

Agenda Item VIII: Public Comment for Items Not on the Agenda

There was no public comment.

The meeting adjourned at 11:38 a.m.