

Agenda IV: HPD DRC Scope and Considerations for Decision Making

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Goals for this Agenda Item

- (1) To provide an overview of the legal DRC scope and
and
- (2) Have a discussion lead by the committee regarding their personal decision-making criteria.

Committee's Decision-making Authority

The HPD Data Release Committee is a decision-making body.

Per HPD statute and future regulation, the DRC has veto power over data requests for Research Identifiable Data and direct transmission of limited data (standard and custom datasets).

The intent of this legal requirement is to have an independent check for the most sensitive data requests and to address any blind spots HCAI may have in its internal review process.

Legal Requirements for DRC Review

Per HPD Statute, in making recommendations, the DRC is required to consider one or more of the following:

1. whether the use of the data is consistent with the goals of the system,
2. whether it provides greater transparency regarding health care costs, utilization, quality, or equity, or
3. how the information may be used to inform policy decisions regarding the provision of quality health care, improving public health, reducing health disparities, advancing health coverage, or reducing health care costs.

Considerations for Decision-making

The three legal considerations are broad and open for interpretation.

As there are no regulations on this, there are no specific criteria that committee members must use or requirements on how the committee members are to interpret the legal considerations.

Proposed Considerations That Could Be Applied

Category	Consideration
Privacy	Is reason or justification provided for all confidential or sensitive data elements requested? These include direct identifiers, indirect identifiers (dates, 5-digit ZIP), and sensitive diagnoses and procedures.
	Does the request satisfy minimum data necessary standards?
Results and Information Products	What are the expected findings/outputs and what level of aggregation will be applied to reports, presentations, and other information products intended for public dissemination?
	Will the research and results be made available to HCAI?
	Does the project generate a public benefit for California?
Anticompetitive Use & Commercialization of HPD Data	Is the request to create a product for commercialization or marketing? If so, is the project being conducted on behalf of or in collaboration with the state?
	Is there a risk for anticompetitive use of the data?