

¹The following notes summarize the annual retreat of the Maine Health Data Organization (MHDO) Board of Directors held on August 8, 2013 from 9-3 PM in the conference room of the Finance Authority of Maine in Augusta.

Desired outcomes included:

- To clarify and reach agreement on MHDO's proposal to the legislature regarding the sharing of clinical and protected information.
- To reaffirm the strategic planning elements developed over the last two years and the commitment to move to a smaller Board of Directors.
- To identify next steps to keep the Board of Directors and staff moving forward in a proactive manner.

The morning began with opening remarks by Board Chair, Katherine Pelletreau and an overview of organizational accomplishments of the last two years by Acting Executive Director, Karynlee Harrington.

Katherine Pelletreau reminded the Board of the four strategic priorities that were agreed upon by the Board at its annual retreat in 2011:

1. Increase integration between clinical and claims data.
2. Develop and implement strategies that position the organization to anticipate and meet the data needs of the future.

Lead the organization towards deeper collaboration, or even consolidation, with those entities that share our values and have compatible missions.

3. Build our governance capacity to be able to achieve and pursue our strategic priorities and achieve our vision.

Progress towards these priorities includes:

- The pilot test to test the feasibility of linking clinical and claims data is complete and was successful.
- The organization's data systems "transformation" is underway and MHDO is working with new vendors to build and operationalize the new environment.
- The organization has become more responsive to stakeholders as communications have been enhanced and the organization is collaboratively working to fulfill its statutory obligations.
- Finally, board members have evidenced their commitment to the organization and its goals by improving board meeting attendance and engagement as well as committee participation.

¹ Retreat participants: Poppy Arford (Director), Michael DeLorenzo (Director), Andrew Ellis (Director), Anne Head (Vice Chair), Peter Gore (Director), Karynlee Harrington (Acting Executive Director), Lisa Harvey-McPherson (Director), Thomas Hopkins (Director), Anita Knopp (Director), Neil Korsen (Director), Katherine Pelletreau (Chair), Deanna White (Assistant Attorney General), David Winslow (Director) and Kathryn Hunt (Consultant/Facilitator)

For a more detailed summary of 2012 accomplishments see the handouts distributed by Karynlee Harrington.

The balance of the morning focused on the substance of MHDO's Protected Health Information (PHI) proposal to the legislature. Karynlee Harrington and Assistant Attorney General Deanna White provided a substantive overview of the draft proposal developed by a MHDO Board subcommittee and distributed to board members in advance of the retreat. Key points included:

- While MHDO is not required to comply with HIPAA, the subcommittee shaped the proposal to be consistent with its provisions (and in some places to be more restrictive).
- The subcommittee also agreed to put forward provisions that are consistent with the Maine Health InfoNet, which are already approved under Maine State Law.

The bulk of the Board's discussion focused on two major issues: (1) the provisions directing the release of information for research purposes; and, (2) the provisions for opt-in/opt-out. **After open deliberation on both issues, the Board agreed to adopt the draft PHI proposal as presented with the understanding that minor, technical changes/edits would be made moving forward as the proposal was finalized for submission to the legislature, but any substantive changes would be brought back before the Board for discussion and approval.**

The Motion was made by Thomas Hopkins and seconded by Anita Knopp. Nine board members voted in favor with two board members opposing: Poppy Arford (for the stated reason that the impacts of implementation on consumers and providers were not yet fully defined or understood); and, Andrew Ellis (for the stated reason that "un-affiliated" credible researchers should be permitted access to protected health information).

The deadline for inclusion of MHDO's PHI legislative proposal in the Governor's bill for the coming session is September 16, 2013. Karynlee Harrington and Deanna White will take the lead in finalizing the draft legislative proposal with input from the Board and other stakeholders as needed.

Discussion of a draft set of Principles for Release was tabled for future review by the Board of Directors.

The focus in the afternoon shifted to board governance. Board members affirmed their desire to formalize the current smaller size, however, agreed that the organization's legislative focus should be on the PHI proposal. **There was unanimous agreement that a continued focus on governance should be a priority going forward, and the Board voted to form a Governance Committee to coordinate implementation of the governance improvement initiatives agreed upon in 2012. The Committee was also charged with bringing back recommendations for the substance of a governance improvement legislative proposal in 12 months** (motion put forward by Poppy Arford; seconded by Andrew Ellis; unanimous approval).

A summary of the responses from the prompt “If a prospective new board member asked you to describe the expectations of MHDO board members, what would you tell them?” are included below:

Engage / Participate

- MHDO is a working Board (not an advisory board).
- Attend meetings regularly.
- Be prepared for meetings.
- Contribute to the work of the Board (through committees, etc.).
- Be willing to be held accountable for getting things done.

Educate

- Commit to educating oneself on issues affecting the organization and state in relation to MHDO’s mission.
- Help to shape and lead and educate others in policy dialogue and decision making in relation to MHDO’s mission.

Productively contribute

- Bring your relevant knowledge and expertise.
- Be willing to address and work through difficult issues collaboratively.
- Be willing to be a team player.

Steward

- Support the long-term success of the organization. Be responsible for the health well-being of the organization.

Retreat Facilitator Kathryn Hunt provided an overview of the typical roles and responsibilities fulfilled by a Governance Committee. These include:

- Recruitment/selection and orientation of new board members
- Succession planning
- Evaluation of board members, board meetings and board functioning overall
- Creation and periodic review of the board member job description
- Periodic review and update of the Board’s governance practices
- Periodic review of the Board’s Bylaws and the Board’s compliance therewith
- Ongoing Board education on issues of relevance to the organization

The following individuals expressed interest in serving on the Governance Committee: Katherine Pelletreau, Anne Head (in a resource capacity), Thomas Hopkins, Anita Knopp (time pending) and Poppy Arford.