

## Center for Healthcare Transparency

### Subgroup 1. Legal, policy and stakeholder buy-in

*Suggestion to bring subgroups 3 & 1 together for a robust discussion of the intersections of legal framework and technically viable solutions for data security.*

- Levers for obtaining data from public and private payers, purchaser, providers and/or consumers (see also Legislation topic, below and Subgroup 5: Reporting and Publishing)
  - Developing compelling use cases (leakage reports, sources of cost variation, etc.)
  - Educating of users on how to effectively use and benefit from claims data
  - Making the case for handling PHI
  - Leveraging public and private purchaser power
  - Alternatives strategies which improve data flow and/or sustainability
  - Keeping the door open for unanticipated future uses
- Securing Data Use agreements to accomplish intended ends
  - Strategies and processes for securing effective DUAs (For voluntary and for mandated data collection and reporting)
  - Templates for different situations and types of legal agreements with and between RHICs, APCDs, HIEs, Payers, QEs, QCDRs
- Meeting security requirements
  - Data Governance Committee structure and charters
  - Data release policies and procedures based on different uses
  - Existing and expected future standards
  - Common terms and conditions
  - Processes when in-house data management
  - Processes with heavy vendor involvement
  - Key differences between Claims, Clinical and Patient Reported Data security processes
  - Obtaining cyber insurance
- Benefiting from legislation and rule-making (federal level, state level)
  - Pro's and cons of mandated vs. voluntary data collection
  - What characteristics enables real transparency?
  - What characteristics create barriers to transparency, intended or unintended?
  - How to identify the "right" stakeholders to work with
  - Templates for laws, rules, enforcement with penalties, etc.
  - Public policy strategies for securing data access, use, public reporting, etc.
    - For example, QE vs. state agency access to Medicare data for reporting purposes
- Considerations from emerging technologies and other players