



POLICY AND OPERATIONS COUNCIL CHARTER

I. GOALS:

- 1: Provide leadership for and participate in developing and implementing a comprehensive and coordinated interoperable health information technology strategy at the state level to drive improvements in health care quality, affordability and outcomes
- 2: Provide guidance, leadership and support for the Statewide Collaboration Process (SCP), through which NYeC is charged by the New York State Department of Health (NYS DOH) with creating and overseeing work groups to develop collaboratively the common policies, standards, technical approaches for New York's Health Information Infrastructure, including the State Health Information Network of New York (SHIN-NY), community-wide interoperable electronic health record and personal health record adoption and clinical informatics services.
- 3: Facilitate a SCP governance structure to deliberate and determine common health IT policies, standards, technical approaches and services in the public's interest
- 4: Develop and make recommendations to the NYS DOH with respect to health IT policies and procedures that facilitate the measurement and reporting of health information to improve health care quality, affordability and outcomes.
- 5: Establish priorities for programs, policy and educational initiatives to promote adoption and use of health IT tools by health care providers and consumers in New York State.
- 6: Support the activities of RHIOs, CHITAs and other sponsors of initiatives designed to enhance the interoperable exchange and use of health information at the state level in a manner that protects the privacy of personal health information and supports clinicians' use.
- 7: Develop consensus on principles and policies for sustainable financing to ensure widespread health IT adoption and use in concert with statewide health information strategy. This should address implementation efforts at the state and regional levels. A comprehensive approach is needed which accounts for infrastructure as well as ongoing costs for systems operation, maintenance and enhancements.

II. ACTIVITIES:

- **Review** SCP work group policies, standards, technical approaches and services, and **make recommendations** to the Board of Directors of NYeC and the NYS DOH in accordance with principles adopted by the POC.
- Where appropriate, **develop joint projects and solutions** to support health IT adoption and use of health information in accordance with the policies, standards, technical approaches and services referenced above.
- **Educate and share information** among RHIOs, CHITAs, HSPs and other stakeholders and support the development of governance and financial best practices.
- **Resolve issues** that arise in the SCP work groups where attempts to drive consensus are not successful.
- **Seek public input and participation in the Council's activities.**

III. COMPOSITION:

- RHIOs/CHITAs: The Council will consist of **one representative** from each RHIO and CHITA (as defined below) in New York State. **Each RHIO and CHITA will nominate a representative**, who will be confirmed by the Executive Director of NYeC after consultation with the NYeC Board Chair and NYS DOH. In addition, the Council will include **up to three existing members of the NYeC Board** who are appointed to serve by the NYeC Board Chair in consultation with the NYeC Board and NYS DOH
- **A Chair and Vice-Chair of the Council will be appointed by the NYeC Board Chair**, in consultation with the members of the NYeC Board and NYS DOH.
- **Two Council members representing RHIOs in diverse geographic locations in the state shall become Board members of NYeC.** The members shall be appointed by the NYeC Board and serve terms in accordance with the NYeC bylaws.

IV. Health Services Provider/Vendor Advisory Committee

Goals:

- The POC will create the HSP Advisory Committee (hereafter “advisory committee”) to ensure that vendor input has been proactively solicited on the policy and standard recommendations put before the POC for review and approval. The advisory committee members will be asked to actively participate in the POC’s efforts to foster development of the SHIN-NY and spur health IT adoption across NYS.
- The advisory committee will be asked to provide not only critiques of the policies and standards but also offer proposed alternative approaches and collaborate with competing vendors.

Nomination Process:

- Each RHIO and CHITA will nominate a representative from their primary vendor to serve on the advisory committee. RHIOs and CHITAs may nominate representatives

from their secondary vendors or sub-vendors as they see fit. The vendor representative must be affirmatively nominated by the RHIO or CHITA and this nomination must be submitted to NYeC. The representatives will be confirmed by the Executive Director of NYeC after consultation with the POC Chair, NYeC Board Chair and NYS DOH.

- For vendors that are not participating with RHIO or CHITA project, NYS DOH or the NYeC may serve as the nominating organization.
- HSP representatives should be people who have decision-making authority and can speak for their organizations. They should understand from a technical and business perspective the capabilities and potential of their products as it relates to meeting the policies and standards being proposed.
- The nominating organization as described above will be asked to ensure that its vendor representatives adhere to the advisory committee guidelines described below.

HSP Guidelines:

- Meetings of the POC (including SCP work groups) and the advisory committee should not be used as sales opportunities and the contact information of participants should be used only for business related to the statewide collaboration process.
- Representatives are expected to regularly attend meetings (or send a designee) and to promptly respond to the POC's requests for input. The POC's expectation is that vendor representatives will seek to add value to the process.

V. DEFINITIONS

- Regional Health Information Organization (RHIO): RHIOs are (i) multi-stakeholder collaborations organized for the purpose of enabling the secure and interoperable exchange of health information and with a mission of governing its use in the public's interest and for the public good supporting improvements health care quality, affordability and outcomes and which (ii) have been awarded grant funds or otherwise recognized, based on criteria and a process to be established, by the NYS Department of Health to accomplish this purpose.
- Community Health Information Technology Adoption Collaboration (CHITA): CHITAs are (i) community-based collaborations of clinicians and providers in a defined care coordination zone with a mission to advance the adoption and effective use of interoperable electronic health records and which (ii) have been awarded grant funds or otherwise recognized, based on criteria and a process to be established, by the NYS Department of Health to accomplish this purpose.
- Health Information Service Provider (HSP): HSPs are organizations that provide RHIOs and/or CHITAs with technical services, including software, hardware, support services and clinical/quality services that facilitate the secure exchange and use of health information, including, measurement and reporting of health information.



The Statewide Collaboration Process

Statewide Collaboration Process Guidelines

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1. INTRODUCTION

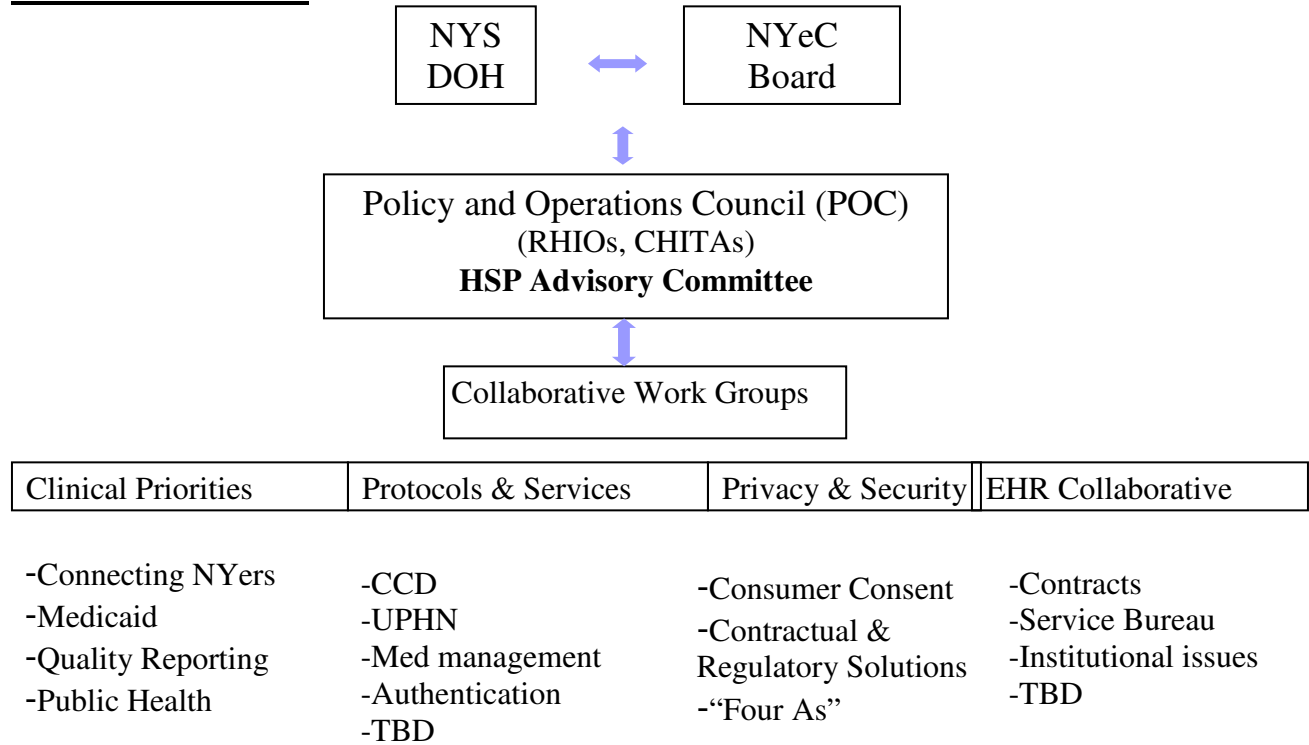
The New York eHealth Collaborative (NYeC) is facilitating the Statewide Collaboration Process (SCP) comprised of the New York State Department of Health (NYS DOH), HEAL NY awardees and other stakeholders to collaboratively develop the common policies, standards, technical approaches and services for New York's health information infrastructure, including the Statewide Health Network for New York (SHIN-NY), as an underpinning to a value-oriented, high-performing health care system.

The purpose of this document is to outline the structure and processes through which the SCP will operate and be facilitated by NYeC. A guiding principle of the SCP is that decisions will be made and products developed in a collaborative, consensus-driven manner through a fully open, transparent process to which everybody can contribute to ensure health IT advances in the public's interest.

Specifically, this document outlines: (a) the structure of the SCP including each body's roles and responsibilities; (b) the structure of the SCP work groups, including each participant's roles and responsibilities; and (c) the process for developing products and making decisions within these structures.

While we hope that this document sets out a clear structure and process for successful execution of the SCP, we also expect that this will undergo continuous evaluation and adjustments. We look forward to your ongoing input as we do so.

2. SCP STRUCTURE



Roles and Responsibilities

NYS DOH and NYeC Board

- Define state health IT strategy
- Establish scope for, and final approval of, SCP products
- Develop state health IT governance & regulatory framework
- Make crosscutting policy decisions

NYeC POC

- Reviews and approves recommended work group policies and products via governance process for presentation to NYeC and NYS DOH
- Reviews and makes recommendations on SCP structure and process
- Supports NYS DOH/NYeC leadership in making overall strategy decisions
- Solicit input from HSP Advisory Committee

Collaborative Work Groups

- Define policies, establish priorities, and and develop products through collaborative consensus-building work structures
- Identify interdependencies and need for alignment across work group policy development activities
- Makes recommendations to POC

3. WORK GROUP STRUCTURE: ROLES AND RESPONSIBILITIES

Chairs/Vice-Chairs

- Call and facilitate meetings
- Foster consensus among work group participants to make decisions
- Resolve issues and disagreements, or if unresolved refer them to the POC
- Work with staff consultants to develop agendas and meeting materials
- Work with staff consultants to develop project plans
- Create subgroups to work on specific areas as necessary
- Where appropriate request liaisons from other work groups; upon other work groups' request arrange to provide liaisons from own work group
- Lead work group in its review of other work group products
- Lead discussion for providing final disposition on public comments
- Attend work group co-chair meetings

Members

- Regularly attend meetings and actively participate in work efforts, including subgroups
- Communicate work group activities and decisions back to their organizations
- Represent their organizations; bring issues and feedback forward from their organizations
- Comply with work group decisions and fully integrate work group products into implementation plans
- Accept and complete action items from chair to advance progress of work group

Liaisons from Other Work Groups

- For specific topics, each work group will be expected to work with representatives from other work groups to coordinate development of work products that affect and involve more than one work group.
- Represent the opinions of their work groups at those meetings
- Provide regular progress reports to their work groups

Staff Consultants

- Develop agendas and meeting materials with chairs
- Develop and manage project plans, including deliverables, milestones and timelines, in coordination with chairs
- Support meeting facilitation
- Ensure compliance with work group policies and procedures
- Draft policies and develop work products
- Keep minutes, record action items and decisions
- Maintain work group membership lists
- Submit monthly reports to NYeC on work group progress
- Log comments provided during public comment period and document formal disposition

4. POLICY/WORK PRODUCT DEVELOPMENT AND DECISION-MAKING PROCESS

Stage 1: Identification of Deliverables and Timelines

- Initial expectations as to work group deliverables are identified in their charters. Further specification and iteration of those deliverables will be done within the work group and through consultation with NYeC and NYS DOH. This will include identification of those policies and work products that need to go to the POC for approval – including binding policy and technical products.
- It is expected that once these deliverables have been identified, an early priority of the work group will be to identify what interaction and coordination is required with other work groups. It shall reach out to those work groups to do begin discussion of how to coordinate development of those products.
- **Deliverable: Description of Issue and Scope of Work**

Stage 2: Initial Development of Draft Deliverable

- The primary work group responsible for the policy/work product shall develop the draft deliverable in coordination with other impacted work groups, and in accordance with a specific deliverable workplan and schedule which will be submitted to the POC. To the extent possible, workgroups should seek consensus on the policy/work product before advancing it to the next stage in the process.
- Each proposed policy/work product shall be submitted to the POC with a brief decision memorandum explaining the key issue(s), the rationale for the proposed recommendation(s), and any significant points of disagreement raised through the workgroup process
- A public comment period will take place once the draft deliverables have been developed. The work group will be expected to log any comments and provide a formal disposition to every comment.
- **Deliverable: Draft Policy/Work Product**

Stage 3: Review by NYeC POC

- The POC shall review the draft work product and work towards consensus on one of the following actions: the POC may vote to approve the draft policy/work product as a whole or approve it in part, or disapprove it in whole or in part, and advance to NYeC and NYS DOH, including any specific recommendations relating to the analysis of public comments and the POC's deliberations (e.g., outstanding issues that may require additional work group consideration). The POC will provide a brief decision memo including the key points for consideration when it forwards a policy/work product with recommendations to NYeC and NYS DOH.
- The POC chair/vice-chair will provide at least five days notice of a vote to approve policies/work products. Formal votes are required only if there are objections to one or more of the proposed recommendations. Any votes will require a quorum to be present which shall be a majority of voting members to be in attendance.
- **Deliverable: Recommendations on Draft Policy/Work Product**

Stage 4: Final Review and Approval by NYeC Board/NYS DOH

- NYeC Board and NYS DOH shall review the final work product together with the POC's recommendations. They shall either approve the product in whole or in part, or refer the product back to the POC or the relevant SCP work group with its guidance on resolution of any outstanding issues..
- Where appropriate, in consultation with NYeC, the final policywork product shall be independently reviewed and approved by NYS DOH.

- **Deliverable: Final Policy/Work Product or Referral Back to POC/Work Group for Further Action.**

Stage 5: Operational Guidance and Feedback

- As these work products are finalized and approved by the POC and NYeC/NYS DOH, each work group will develop operational guidance to support implementation in the field. The work groups will solicit feedback from those implementation sites and consider whether refinement or amendment of policies and standards may be necessary.
- **Deliverable: Operational Guidance for Policies/Products; Evaluate Need for Revisions to Policy/Work Product**

Work Group Decision-Making Process

- All work group decisions are to be made by consensus; work group is expected to make every effort to build consensus for all decisions.
- If there is a significant difference of opinion on a major issue that cannot be resolved through other means, the work group can report the issue to the POC using an “issues form” which NYeC will make available. The work group should use the issues form to report the divergent opinions and identify the requested scope for resolution. The POC will make a decision, or establish parameters for resolution of the issue.

POC Decision-Making Process.

- The POC chair shall provide at least five days notice of a vote to approve work products developed through the process defined above. Materials subject to that vote shall be distributed with at least with the same amount of notice.
- At a meeting where products are to be reviewed, the chair shall ask if there are any objections to products being approved. If none, the product shall be approved.
- If there is an objection, the approval decision shall go to a formal vote.
- Approval of work products requires a quorum (majority) of voting members to be in attendance at that meeting.

5. SCP COMMUNICATIONS AND RESOURCES

SCP Communications

- Work groups are required to keep minutes of each meeting including at a minimum every work group action item, decision and major area of discussion.
- Work groups are required to submit monthly reports to NYeC with the following detail:
 - Progress on deliverables
 - Plans for the following month
 - Issues and risks
- There will be regular monthly meetings of work group co-chairs to discuss progress and issues.

Work Group Resources

- Common project and content management tools
- Tele- and web-conference tools
- Other tools to be determined upon consultation with work groups and assessment of needs