



Illinois Office of Health Information Technology



Illinois Health Information Exchange Authority Governance

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Exchange Legislative Study Committee
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Laura Zaremba
Director, IL Office of Health Information Technology and Acting
Executive Director, IL Health Information Exchange Authority

ILHIE Authority Overview

- ▶ Composition of the Authority Board
- ▶ Authority Staff
- ▶ Advisory Committee
- ▶ Board Procedures
- ▶ Relationship of Authority to Illinois Office of Health Information Technology

Illinois Health Information Exchange and Technology Act

- ▶ Public Act 96–1331, enacted in July 2010
- ▶ Created the Illinois Health Information Exchange Authority to oversee a statewide health information exchange and promote the adoption of electronic health records
- ▶ Governed by a Board of Directors, envisioned as a public–private partnership to be sustained by participating entities
- ▶ Separate fund for non–public revenue
- ▶ Sunsets in 10 years

Authority Board Composition

- ▶ Nine voting members appointed by Governor and confirmed by Senate (eight directors plus executive director)
 - Full term of office: 3 years, renewable
 - Staggered terms of one, two and three years for initial appointees
- ▶ Five ex officio, non-voting members
 - Director of Healthcare and Family Services
 - Director of Human Services
 - Director of Insurance
 - Director of Public Health
 - Designee of the Office of the Governor

Executive Director – appointed

- Executive Director
 - Appointed by Governor
 - Removable by Governor for cause
 - Voting member of Board
 - Authority’s staff is “under the direction of the Executive Director”
 - Duties set by Board

Voting Board Members

- ▶ Must represent a broad spectrum of health care providers and stakeholders
 - Members to be selected from among 17 health care stakeholder groups identified in statute
- ▶ Due regard to broad geographic representation
- ▶ Unpaid positions

Officers – Board Elected

- Officer positions and duties set in bylaws adopted by Board
- Elected annually
 - Chair
 - Elected from among Board members
 - Presides over meetings of Board
 - May sign contracts and documents on behalf of Authority, as authorized
 - Vice-chair
 - Elected from among Board members
 - Acts in absence of Chair
 - Secretary
 - May be non-Board member
 - Treasurer
 - May be non-Board member

Advisory Committee – Board Appointed

- ▶ Required by statute (20 ILCS 3860/15(f))
- ▶ Purpose: “advise and provide recommendations to the Authority regarding the ILHIE”
- ▶ Two-year term, renewable
- ▶ Members to be selected from among 17 stakeholder groups identified in statute
 - No set number of members

Board subject to Open Meetings Act

- ▶ Authority meetings open to the public
 - Special procedures for non-public executive sessions
- ▶ 48 hours advance posting of meeting agenda
- ▶ Publication of meeting minutes
- ▶ Covered “meetings”
 - more than 2 voting members discussing Authority business
 - Extended email exchanges among Board members
- ▶ Violation of OMA may result in invalidation of decisions made during meeting, and fines

Board subject to Illinois Ethics Act

- **Ethics Training; Ethical Conduct**
 - annual ethics training required
 - no gifts from any person
 - doing business or seeking to do business with the Authority, or
 - conducting activities that are regulated by the Authority.
- ▶ **Disclosure of Contracts and Economic Interests**
 - annual filing of Statement of Economic Interest with the Illinois Secretary of State
 - disclosure of all contracts with the State and (1) appointee, (2) his or her spouse or (3) immediate family member living with the appointee
 - disclosure of all contracts between the State and any entity in which the appointee, or his or her spouse or immediate family member living with the person, have a majority financial interest.

Illinois Ethics Act (cont'd.)

▶ Conflicts of Interest

- No contract with the State that relates to the Authority with (1) the appointee, (2) his or her spouse or (3) immediate family member living in the appointee's residence, during an appointee's service on the Authority's Board and for one year after the conclusion of the person's term of office
- a person directly or indirectly receiving income from a contract with the State is ineligible to serve on State boards.

▶ Revolving Door Prohibition

Within one year after the conclusion of an appointee's term of office, neither (1) the appointee, nor (2) his or her spouse or (3) immediate family member living in the appointee's residence, may accept employment or receive compensation or fees for services from a person or entity that during the appointee's last year of service on the Authority's Board either:

- was a party to a State contract with a cumulative value of \$25,000 or more relating to the Authority;
- or was the subject of a regulatory decision involving the Authority.

Inter-Agency Agreement for Early Operations

- ▶ State of IL obtained 4-year \$18.8M federal grant, administered by IL Office of Health Information Technology (OHIT), for HIE planning and development
- ▶ Authority does not yet have appropriations or own funds for staff or operations
- ▶ OHIT provides Authority with staff support, including Acting Executive Director, pursuant to Inter-Agency Agreement