



Interoperability Matters Information Blocking Workgroup: Year 2022 Charter

Purpose

The Sequoia Project Interoperability Matters Information Blocking (IB) Workgroup is charged with providing input to The Sequoia Project and the interoperability community on public and private sector implementation of U.S. federal government laws, regulations, guidance and enforcement for information blocking as defined in the 21st Century Cures legislation. The Workgroup will identify practical, implementation-level implications of proposed and final rules issued by the U.S. Department of Health and Human Services addressing information blocking. It shall focus on the broad needs of public and private sector stakeholders and will, at the same time, remain focused on implementation-level and operational aspects of information blocking rules and related activities.

The IB Workgroup will operate under the authority and guidance of The Sequoia Project Board and Interoperability Matters Leadership Council, considering input from the Interoperability Matters Advisory Forum. It will also actively seek input from a wide range of stakeholders and subject matter experts, when appropriate. The Workgroup will be organized and operate in a manner that is compliant with applicable antitrust laws and its deliberations will be confined to topics that are consistent with these legal requirements.

2021 Progress

In 2021, the IB Workgroup made significant progress in its work to guide and develop industry consensus points on practices relevant to information blocking regulations and provide input to the federal government on implementation of the regulation. The full IB Workgroup met five times in 2021 and launched three Subgroups based on categories of Actors under information blocking— Health Information Networks (HINs)/Health Information Exchanges (HIEs), Healthcare Providers, and Health IT Developers. Each Subgroup met nine times, including two joint meetings of the Provider and Developer Subgroup.

2021 Outputs:

- Issues and findings distilled from Subgroup meetings shared with the full Workgroup, Leadership Council and during Public Forums;
- Full Workgroup provided input into Sequoia comment letter to OCR;
- Sequoia board and lead staff met with OIG to share key concerns on enforcement, including issues raised by Workgroup and Subgroups; and



- Two sets of Frequently Asked Questions generated by Subgroups, reviewed by the IB Workgroup, and submitted to ONC.

2022 Strategic Direction

In 2022, the IB Workgroup will continue its role convening and educating stakeholders but narrow its strategic direction and review its composition to concentrate on and enable identification and production of concrete, actionable deliverables that provide value to the stakeholder community and reflect varying perspectives and needs. The three current Subgroups will be replaced by topic-based Task Groups focused on completion of defined, time-bound deliverables, structured around a defined workplan. Members of the IB Workgroup will be asked and expected volunteer to participate in these Task Groups with the expectation that they will remain actively engaged in the Task Group throughout its duration and contribute to the production of deliverables by providing substantive feedback, subject matter expertise, and assistance with drafting work products.

The larger IB Workgroup will remain active and meet on a quarterly basis, with its final meeting coinciding with the fourth quarter Sequoia Annual Meeting. The full Workgroup meetings will continue to provide a forum for education and discussion and serve as a mechanism to address and analyze regulatory updates on enforcement, frequently asked questions, and updates from the Task Groups on deliverable progress.

Deliverables

Task Group participants will develop a defined workplan for deliverable development. The two initial Task Groups and associated deliverables for 2022 are as follows:

1. **Definition of Electronic Health Information (EHI) and Designated Record Set (DRS)** — Build on the work started by AHIMA, EHRA, and AMIA to better understand the scope of EHI that must be included in a response to a request under information blocking, including defining what data elements and types are included in the definition of DRS, as well as identifying operational approaches from varying perspectives (e.g., the data elements that must be supported by developers).
2. **Good Practices/Tip Sheets for Actors** — Identify and compile best practices for various types of Actors under information blocking— with an emphasis on smaller entities and those that have not yet begun— in order to help guide compliance and implementation of the regulation.

Other Task Groups and deliverables may be defined by the Task Group Co-Chairs and/or the Leadership Council in coordination with Interoperability Matters staff and Sequoia leadership.



Timeline

Full Workgroup	
Call for participation	December, 2021
Meeting #1—Introduce Task Groups and call for volunteers, complete charter	January x, 2022
Meeting #2	May x, 2022
Meeting #3	September x, 2022
Meeting #4 (Sequoia Annual Member Meeting)	December x, 2022
Task Groups	
Determine Task Group composition	January x, 2022
Launch Meetings	Beginning Feb x, 2022, as determined by Task Group
Deliverable completion	According to Workplan

Workgroup Responsibilities

In its role as a Workgroup for The Sequoia Project’s Interoperability Matters Cooperative, the Workgroup members will fulfill the following responsibilities:

- Maintain personal involvement in Workgroup and Task Group meetings and related activities;
- Respect any confidential discussion held in the Workgroup and Task Groups;
- Contribute to the development of Task Group deliverables by providing substantive feedback, subject matter expertise, and drafting assistance;
- Share progress with Leadership Council and through public forums;
- Accept assignments and tasks between meetings.

Decision-Making and Relationship to Interoperability Matters and The Sequoia Project

The Workgroup will aim to reach consensus, where possible, and will capture differing views. Regardless of whether there is consensus, the Workgroup will assure that diverse stakeholder views are heard. Areas of agreement will be identified and divergent views captured. Where there is not consensus, the group will move issues forward by such approaches as identifying a range of issues raised within the Workgroup and considering recommendations for further study to move towards consensus.



Workgroup Leadership and Staffing

The Sequoia Project Staff (contract and employees) assist in facilitating the full IB Workgroup and the smaller Task Groups. The Leadership Council Co-Chairs will select Co-Chairs for the full Workgroup and the Task Groups in 2022.

Co-Chair duties include:

- Leading and facilitating Workgroup efforts, including the development, review, and maintenance of Task Group deliverables;
- Facilitating Workgroup and Task Group meetings in a manner that assures that all members are actively contributing to the Workgroup's efforts;
- Enabling balanced opportunities for all members to contribute to the discussions and minimizing a few individuals from dominating the discussion;
- Conducting the work in a manner that is efficient, in accordance with the work plan; and
- Meeting with Sequoia staff prior to each Workgroup and Task Group meeting to prepare the agenda and discussion topics.

Workgroup Composition

Full IB Workgroup: The full IB Workgroup is composed of a diverse group of stakeholders selected based on identified needs by Sequoia Project Staff and Workgroup Co-Chairs. These members represent healthcare provider organizations, health IT developers, health information networks and health information exchanges, consumers, payers, public health, associations and organizations representing the health IT community, federal government representatives, and other subject matter experts.

Task Groups: Members of the full IB Workgroup will volunteer to participate in one or more Task Groups. Task Group sizes will, ideally, be limited to 10-15 members that actively participate and contribute to deliverable production. Members who are not actively contributing to their assigned Task Group tasks may be asked to resign from the Task Group and possibly the full Workgroup.

In addition, to ensure that the Workgroup and Task Groups are of a manageable size but can draw on the broadest and deepest perspectives, the Co-Chairs and Sequoia staff may hold one or more webinars/telephone conference calls, establish a project Wiki, and use online survey tools to gather input beyond Workgroup members.