

ENHANCED MEMORANDUM OF UNDERSTANDING (E-MOU)

Executive Summary Introduction

Office of the Secretary of Health
& Human Resources

Commonwealth of Virginia

www.ehhr.virginia.gov



Agenda

- What is the E-MOU?
- What the E-MOU is Not
- Purpose and Vision of the E-MOU
- Old Method vs. New Method
- HIPAA Requirements
- E-MOU Interface with HITSAC/VITA
- How is it Organized?
- How does it Work?
- Key Terms



What is the E-MOU?

- A single process for sharing data under a reusable and secure agreement that is broad enough to encompass the needs of multiple stakeholders:
 - Creates partnership, synergy, and visibility across agencies through one document that is compliant with relevant security and legal (Federal, State) requirements.
 - Designs policies to allow several agencies to share data services.
 - Eliminates the headache of multiple point to point MOUs which need to be simultaneously coordinated.
 - Supports an advisory management framework and yields to the agencies for execution.
 - Has been reviewed by the OAG.

What the E-MOU is NOT:

- The E-MOU does not require new legislative policy; it is designed to work with current “applicable law.”
- The E-MOU does not define or require new laws.

Purpose of the E-MOU

To enhance the security and efficiency of data exchange among participating agencies.

Vision of the E-MOU

As the eHHR vision for multiple agencies collaborating around a shared architecture took shape, there became a need for a more dynamic data management framework. The E-MOU accomplishes the following:

- Serves to define a set of shared data management policies for administering a data exchange built on enterprise services and file transfers.
- Presents the framework for system coordination and data exchange.
- Facilitates crossovers/synergy points identified in HHR Information Technology Strategic Plan (ITSP) and Addendum.
- Offers an opportunity to increase efficiency, effectiveness, and interoperability of HHR agencies and programs.
- Provides a regular communication process for continued quality improvement.

Old Method

- Five separate MOUs leads to unnecessarily duplicated functionality and related expenses.
- Agencies may have similar needs but are unaware of what other agencies are doing, resulting in separate MOUs.
- Little alignment toward shared goals.

$$f(x) = \frac{\lambda^p}{\Gamma(p)} x^{p-1} e^{-\lambda x} \quad x > 0; \quad \Gamma(p) = \int_0^{\infty} x^{p-1} e^{-x} dx$$

$$K(\lambda) = \ln(L) = np \ln \lambda - n f(p) + (p-1) \sum x_i - \lambda \sum x_i$$

$$E(\Lambda) = E\left(\frac{np}{\sum x_i}\right) = \int_0^{\infty} \frac{np}{x} \frac{\lambda^{np}}{\Gamma(np)} x^{np-1} e^{-\lambda x} dx = \frac{\lambda}{\Gamma(np)}$$

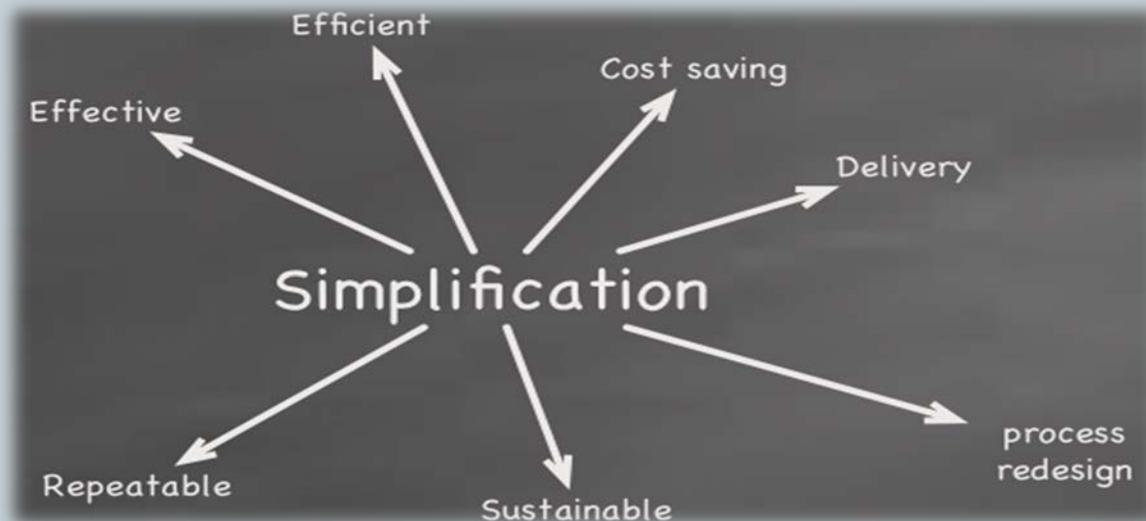
$$\frac{np}{np-1} \lambda = f \quad \text{Var } \Lambda = E\Lambda^2 - (E\Lambda)^2 = \frac{(np)^2}{(np-1)(np-2)} \lambda^2$$

$$\frac{(np)^2}{(np-1)(np-2)} \lambda^2 \xrightarrow{n \rightarrow \infty} 0 \quad T_n = \{X_1, \dots, X_n\}$$

New Method

Common visible process

- Informs Partners of data being exchanged and how it might improve their own business processes.
- Informs Partners about other COV agency's potential collaboration opportunities.
- Eliminates duplicative efforts; works more efficiently toward shared goals.
- Reduces/shares Costs. Best practices shared, lessons learned combined.



HIPAA Requirements

- E-MOU partners will still need to comply with the most stringent authorization for data transfer, which is the **Uniform Consent to Exchange Information Form (DSS)**.
- The E-MOU meets requirements of the HIPAA Privacy Rule (45 CFR Parts 160 and 164) and Virginia Code 32.1-127.1:03.

E-MOU Interface with HITSAC/VITA

- E-MOU and the Coordinating Committee looks to the Health Information Technology Standards Advisory Committee (HITSAC) and VITA to define new emerging exchange standards.
- E-MOU helps build adoption of the new standards via communication through the Coordinating Committee.

How is it Organized?

The main E-MOU includes 19 sections, defining the reusable framework and administration of the eHHR data exchange.

Key sections in the main E-MOU include:

- Section 1 Definitions
- Section 2 & 3 Coordinating Committee (CC) Responsibilities
- Section 4 Use of Data
- Section 11 Specific Duties of a Partner When Transmitting Data
- Section 13 Responsibilities of the Partners
- Section 17 Dispute Resolution Process

How is it organized? Cont'd

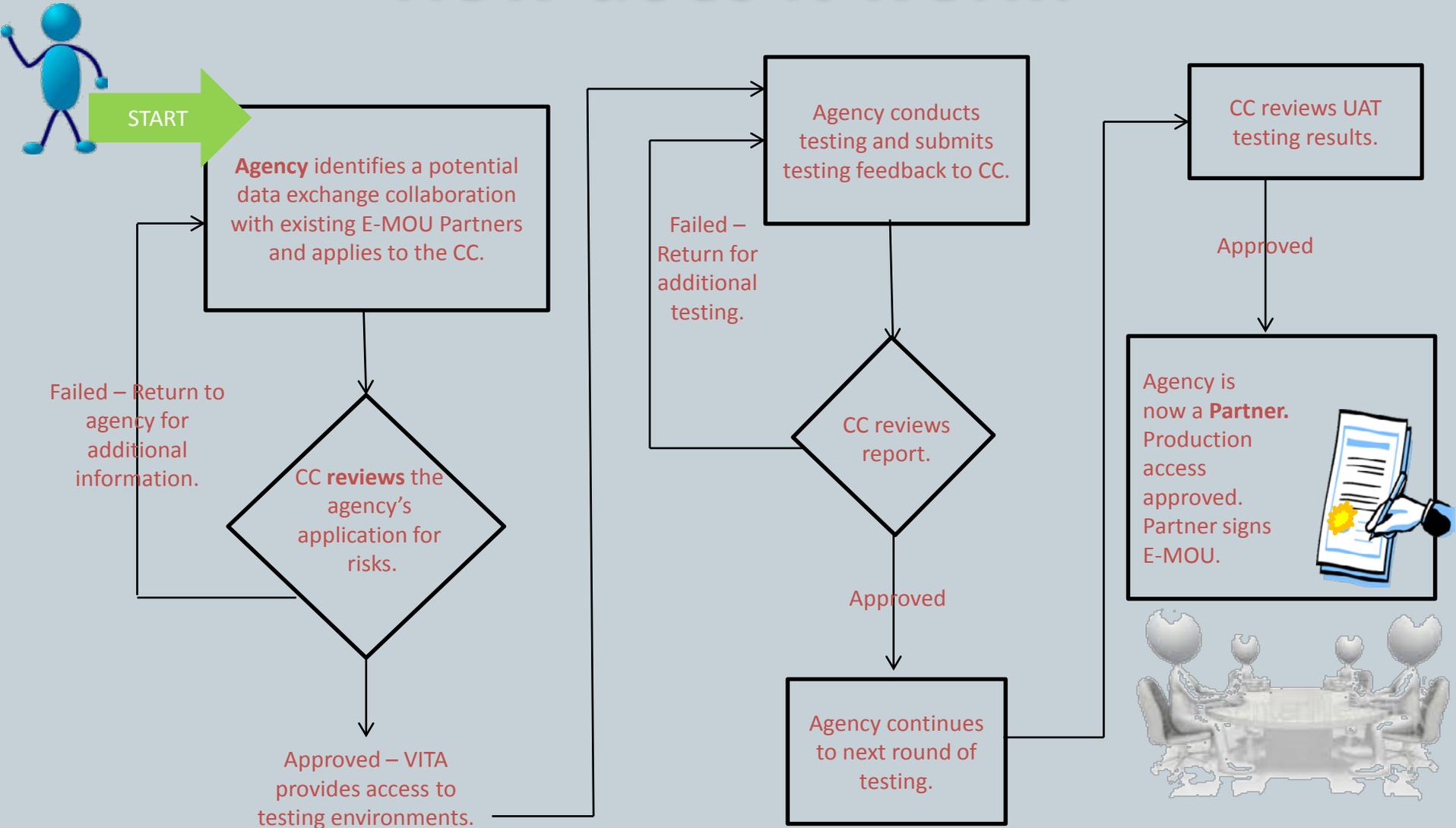
In addition to the main E-MOU, 6 appendices provide specific process detail. These include:

- Appendix 1 Procedures for Adding a New Partner, Suspending and Terminating a Partner
- Appendix 2 Process to Amend the eHHR Enhanced MOU
- Appendix 3 Change Process for Data Exchange Services
- Appendix 4 Procedures for Breach Notification
- Appendix 5 Requirements for Data Exchange Services
- Appendix 6 New Partner Testing and Validation Requirements

Appendix 5 has two attachments which include templates to define Data Exchange Services. This includes:

- Attachment A - Requirements for a Electronic Data Interchange (EDI) Service
- Attachment B - Requirements for a Extract, Transform and Load (ETL) Service

How does it work?



Key Terms

- **Partner** - an agency, that is a signatory to the E-MOU, desiring to share data resources
- **Coordinating Committee (CC)** - designated partner/ agency heads who have oversight of the E-MOU
- **Applicable Law** - all applicable federal and state laws and regulations governing partner agencies
- **Data Exchange Service** - software programs that allow secure sharing of data among approved Partners

Key Terms Cont'd

- **Data Request** - a request for data made between Partners and defined by an approved E-MOU Specification
- **Data Test** - data created by a Partner in accordance with the Validation Plan that does not contain personal information (PI)
- **Specifications** - pursuant to the E-MOU, those technical and security requirements needed to enable the Partners to Transmit Data including, but not limited to, specific standards, services, and policies applicable to Data Transmittal
- **System** - any Partner's electronic medium used for conducting Data Transmittal related activities
- **Validation Plan** - the framework for testing and demonstrations for parties seeking to become Partners

Additional Resources

- Sharepoint/eHHR Systems Integration/Presentations

E-MOU and Appendices –

<https://dssshare.virginia.gov/sites/eHHRProgram/OCM%20Site/ layouts/OSSSearchResults.aspx?k=emou&cs=This%20Site&u=https%3A%2F%2Fdssshare.virginia.gov%2Fsites%2FeHHRProgram%2FOCM%20Site>



Questions?

