NATIONAL COMMITTEE ON VITAL AND HEALTH STATISTICS

Meeting of the Privacy, Confidentiality, and Security Subcommittee – Tentative Agenda

November 28, 2017, 1:30-5:30 pm Eastern

Virtual WebEx Meeting

1:30 – 1:40 pm	Welcome, Roll Call, Agenda Review	Linda Kloss Privacy Subcommittee Chair

1:40 – 3:30 pm	Health Information Privacy and Security Beyond HIPAA
	
	Presentations and Discussion
		Chair
		
		Panelists:
		• Frank Pasquale, Professor of Law, University of Maryland
		  Bio
		• Leslie Francis, Professor of Law and Philosophy, University of Utah
		  Bio
		• Bennett Borden Partner, Drinker Biddle
		  Bio
		• Kevin Stine, Chief Applied Cybersecurity Division, National Institute of Standards and Technology's Information Technology Laboratory
		  Bio
		• Adam Greene Partner, Davis Wright Tremaine
		  Bio

3:30 – 3:45 pm	Break	
3:45 – 4:30 pm	Environmental Scan Draft Report: Comments and Feedback	Linda Kloss and members
4:30 – 5:20 pm	Privacy Subcommittee Workplan Discussion	Linda Kloss and members
5:20 – 5:30 pm	Public Comment	Rebecca Hines NCVHS Executive Secretary
5:30 pm	Adjourn	Privacy Subcommittee Chair

Upcoming NCVHS Meetings of the Full Committee:
January 9-10, 2018
May 15-16, 2018
September 13-14, 2018

Presenters Bios:

Frank Pasquale researches the law and policy of big data, artificial intelligence, and algorithms at the University of Maryland School of Law. He has been recognized as one of the 10 most cited health law scholars in the US by Harvard Law School's Petrie-Flom Center's Bill of Health (for reporting period 2010-2014). He is a co-founder of the Association for the Promotion of Political Economy and Law (APPEAL, at politicaleconomylaw.org). He is the author of The Black Box Society (Harvard University Press, 2015). The book developed a social theory of reputation, search, and finance, focused on the use and misuse of data. He has served as a member of the NSF-sponsored Council on Big Data, Ethics, & Society, a visiting fellow at Cambridge and Princeton Universities, a visiting professor at Yale Law School, and a visiting scholar at National Taiwan University. He is now at work on a book tentatively titled Laws of Robotics: Revitalizing Professions in an Era of Automation (under contract to Harvard University Press).

Leslie P. Francis holds joint appointments as Alfred C. Emery professor of law and professor of philosophy, and adjunct appointments in Family and Preventive Medicine (in the Division of Public Health), Internal Medicine (in the Division of Medical Ethics), and Political Science, at the University of Utah. She was appointed to the rank of Distinguished Professor in 2009 and became director of the University of Utah Center for Law and Biomedical Sciences in 2015. Professor Francis was President of the Pacific Division of the American Philosophical Association in 2015-2016. She currently serves as the elected Secretary-General of the International Society for Philosophy of Law and Social Philosophy and as a member of the Ethics Committee of the American Society for Reproductive Medicine. She is past co-chair of the Privacy, Confidentiality, and Security Subcommittee of the National Committee on Vital and Health Statistics, where she currently serves as a member of the Working Group on Data Access and Use. Professor Francis also has been a member of the Medicare Coverage Advisory Committee and of the American Bar Association's Commission on Law and Aging.

Bennett Borden is the chief data scientist and responsible for Drinker Biddle's data analytics strategy. Harnessing the power of data is essential for helping clients drive value in their business operations and telling been appointed to the National Conference of Lawyers and Scientists (NCLS) of the American Academy for the Advancement of Science. Bennett advises the firm and its clients on the development and use of analytics models that enable insight, data storytelling and economic value generation. Bennett's ground-breaking research into the use of machine-based learning and unstructured data for organizational insight is now being put to work in data-driven early warning systems for clients to detect and prevent corporate fraud and other misconduct. Bennett also builds machine-based learning models to transform and improve legal outcomes in key corporate events including mergers and acquisitions, information governance program development and enforcement, litigation and investigations and business intelligence. In addition to conducting both offensive and defensive electronic discovery in complex litigation, Bennett has extensive experience counseling clients on the establishment of information governance.

Kevin Stine is the Chief of the Applied Cybersecurity Division in the National Institute of Standards and Technology's Information Technology Laboratory. In this capacity, he leads NIST collaborations with industry, academia, and government on the practical implementation of cybersecurity and privacy through outreach and effective application of standards and best practices. The Applied Cybersecurity Division develops cybersecurity and privacy guidelines, tools, and reference architectures in diverse areas such as public safety communications; health information technology; smart grid, cyber physical, and industrial control systems; and programs focused on outreach to small businesses and federal agencies. The Division is home to several priority national programs including the National Cybersecurity Center of Excellence, the National Strategy for Trusted Identities in Cyberspace, and the National Initiative for Cybersecurity Education (NICE).

Adam Greene is a partner at Davis White Tremaine. He is a nationally-recognized authority on HIPAA and the HITECH Act, primarily counsels health care systems and technology companies on compliance with the HIPAA privacy, security, and breach notification requirements. Adam is a former regulator at the U.S. Department of Health and Human Services (HHS), where he played a key role in administering and enforcing the HIPAA rules. At HHS, Adam was responsible for determining how HIPAA rules apply to new and emerging health information technologies and he was instrumental in the development of the current enforcement process. Adam also serves as the chair of the HIMSS Cloud Security Workgroup.