

Meeting Minutes
December 20, 2019
South Carolina Data Oversight Council Special Meeting

DOC Members Present

Mr. Thornton Kirby, SCHA (*phone*)
Mr. Rick Toomey, SC DHEC (*phone*)
Mr. Brandt Smith, SCMA (*phone*)

RFA Staff Present

Mr. Chris Finney
Ms. Sarah Crawford

Guests

Ashley Bigger, SC DHEC (*phone*)

The December 20, 2019 Data Oversight Council (DOC) special meeting was called to order by Ms. Sarah Crawford at 3:09pm. Due to the urgency of the request and the short timeframe, Mr Rick Toomey the Director of SC DHEC was present for Daniela Nitcheva. Mr. Thornton Kirby, President and CEO for SCHA was present for Dr. Aunyika Moonan. These substitutions are allowed pursuant to §44-6-170(B) which states the Data Oversight Council is comprised (in part) of:

- the chief executive officer or designee of the South Carolina Hospital Association
- the director or his designee of the South Carolina Department of Health and Environmental Control.

The special request being reviewed was from SC DHEC for SC Hospital facility data to provide information for S.C. Health Care Cooperation Act, S.C. Code Ann. § 44-7-500, et seq. DHEC is requesting approval from the Data Oversight Council (DOC) to gather hospital data to facilitate informed decisions on Certificate of Public Advantage (COPA) applications. DHEC proposes to acquire the data either directly from the RFA or from the facility applying for the COPA if they have the necessary hospitalization data obtained from RFA via a Community Needs Agreement. Under the current Community Needs Agreements, facilities are not allowed to share data with DHEC at the facility level. Similar to Certificate of Need (CON), the facility would need to gain permission from the DOC to release data to DHEC. A yes vote on this would set the precedent and make COPA applications an acceptable use of the data. DHEC employees will use the

data only for the COPA process and will be kept confidential but may be shared with the Federal Trade Commission.

With this request being from SC DHEC, Mr. Toomey recused himself from the vote. Mr. Smith motioned to approve the request and Mr. Kirby seconded the motion. With these votes, the request was approved. This completed the special meeting and the meeting adjourned at 3:17pm.