NEBRASKA INFORMATION TECHNOLOGY COMMISSION

Tuesday, March 3, 2009, 1:30 p.m. CT
Executive Building-Suite 103
521 S. 14th Street, Lincoln, Nebraska
Videoconference Sites [Neb Rev. Stat. §84-1411(2)]:
University of Nebraska-Kearney, Founders Hall 119, 2504 9th Ave., Kearney, NE
Chadron State College, Burkhiser Technology Complex - Room 109, 10th and Main, Chadron, NE
South Sioux City-City Hall, 1615 1st Ave., South Sioux City, NE
Northeast Nebraska Community College, Maclay Building Room 122, 801 East Benjamin Ave., Norfolk, NE

MINUTES

MEMBERS PRESENT:
> Lieutenant Governor Rick Sheehy, Chair
> Linda Aerni, Chief Executive Officer, Community Internet Systems
> Pat Flanagan, Information Services Manager, Mutual of Omaha
> Lance Hedquist, City Administrator, South Sioux City
> Mike Huggenberger, Director-Netlink, Great Plains Communications
> Dr. Doug Kristensen, Chancellor, University of Nebraska-Kearney
> Dr. Janie Park, President, Chadron State College
> Trev Peterson, Attorney, Knudsen, Berkheimer, Richardson, and Endacott, LLP

MEMBERS ABSENT:
> Senator Annette Dubas, Nebraska Legislature
> Dr. Dan Hoesing, Superintendent, Laurel-Concord, Coleridge, Wynot & Newcastle Public Schools

ROLL CALL, NOTICE OF MEETING, & OPEN MEETINGS ACT INFORMATION

Lieutenant Governor Sheehy called the meeting to order to order at 1:30 p.m. There were eight members present at the time of roll call. A quorum was present to conduct official business. The meeting notice was posted to the NITC website and the Public Meeting Calendar website on January 21, 2009. The agenda was posted on the NITC website on February 25, 2009. A copy of the Open Meetings Act was located on the front table and at the remote locations, along with copies of the meeting materials.

APPROVAL OF NOVEMBER 12, 1008 MINUTES

Commissioner Flanagan moved to approve the November 12, 2008 minutes as presented. Commissioner Hedquist seconded. Roll call vote: Aerni-Yes, Flanagan-Yes, Hedquist-Yes, Huggenberger-Yes, Kristensen-Yes, Park-Yes, Peterson-Yes, and Sheehy-Yes. Results: Yes-8, No-0, Abstain-0. Motion carried.

PUBLIC COMMENT

There was no public comment.

INFORMATIONAL UPDATES

Brenda Decker, Chief Information Officer

LB 1208 Implementation. An updated map was distributed indicating the following phase completion dates:

- Phase I Upgrade (Northeast Region) was completed in 2007, connecting 87 high schools, 5 ESUs, and 2 college campuses.

- Phase II Upgrade (Central Region) was completed in 2008, connecting 78 high schools districts, 5 ESUs, and 8 colleges.
- Phase III Upgrade (Southeast Region) will be implemented this summer 2009 to connect 30 high schools, 4 ESUs, and 7 colleges.
- Phase III Upgrade (Panhandle Region) will be implemented this summer 2009 to connect 23 high schools, 2 ESUs, and 1 college campus.

After achieving a new lower Internet access cost on the state contract through the Technology Refreshment with Qwest, the rates for 2009-10 have gone from $38/meg to $15/meg out of Peter Kiewit Institute and $25/meg out of Nebraska Hall. Backbone capacity will be upgraded in Phase III. The Office of the CIO finished filing E-rate on the Network Nebraska K-20 backbone on February 7, 2009. Nebraska will be eligible for 68% reimbursement of the eligible costs. Planning is now underway for finishing up the network in the summer of 2010. The Office of the CIO will hopefully meet LB 1208's deadline of providing Network Nebraska access to every school district by the year 2010. Ms. Decker entertained questions from the commissioners.

Public Safety Wireless Project - Executive Orders. The project is underway. Staff will be traveling to other states to learn best practices. Phase I of the implementation of the system will begin in the Panhandle region. Law enforcement will be able to feed into the system of systems for interoperability. Executive Order No. 0803 established the "Nebraska Wireless Interoperable Network (hereinafter "N-WIN")" Executive Order No. 0804 established and authorized the Nebraska Council of Regions (hereinafter "NCore"). The State is on track with the project. By June 2009, Phase I of the system's operability will be implemented with full deployment expected to be completed by 2011.

American Recovery and Reinvestment Act, Lt. Governor Sheehy. Staff from the Office of the CIO have been meeting with the Governor's Office staff regarding the NITC's part in the stimulus package. All projects will require a 20% match.
- The Broadband Technology Opportunities Program has $4.35 billion available from the National Telecommunications and Information Administration. Each state will receive at least one grant. States will be identifying underserved areas. The NITC will be working with the Public Service Commission.
- The Rural Utilities Services has $2.5 billion dollars available to states for loans and grants for broadband infrastructure to serve rural areas.
- Through the Broadband Data Improvement Act, 350 million dollars will be available for states to map broadband usage.
- At least $300 million is available for state grants to promote health IT. Nebraska has to submit a Health I.T. Plan. The eHealth Council is developing the plan and will take the lead on this effort.

Lt. Governor Sheehy will share more information as it is received.

State Information Security Officer, Steve Henderson. Mr. Henderson introduced Brad Weakly as the new State Information Security Officer. Lt. Governor Sheehy stated that he has been pleased with the Office of the CIO's work with cyber security. Mr. Weakly provided information on his background. He will be organizing the Cyber Security Conference that will be held in June.

REPORT - COMMUNITY COUNCIL REPORT
Anne Byers, Community I.T. Manager

The Developing Websites for Community Growth project is providing hands-on assistance to 11 communities, accessibility testing of websites, and marketing assistance. The project is strictly focused on content development, website enhancements, and marketing. At the end of the process, each community will have fully developed website content and will be able to pass that on to a web developer. The communities selected include Burwell, Butler County, Elwood, Gering, Grand Island, Laurel, Pender, Scribner, South Sioux City, St. Paul, and Valentine. At least one community meeting has been held in ten

of the communities. An initial meeting is being scheduled for Laurel. A series of monthly webinars have been held on topics such as Google Docs, LinkedIn, Flickr and blogs. The Community Council will meet on March 23 to begin developing action plans for the coming year. Lt. Governor Sheehy has been invited to the meeting to discuss broadband stimulus funding opportunities.

REPORT - EHEALTH COUNCIL [REPORT](#)
Anne Byers, Community I.T. Manager

Ms. Byers provided the following updates on the eHealth Community Technology Fund grants:

- *The University of Nebraska Public Policy Center* conducted a deliberative discussion and survey on sharing health information electronically on Nov. 17, 2008. The deliberative discussion and survey indicate that Nebraskans have positive views about sharing health information electronically, but do have some privacy and security concerns. Most participants in the deliberative discussion felt that the State of Nebraska had a role in ensuring the privacy and security of health information (100%), providing information to consumers about health information security and privacy (94%), regulating health information networks (91%), and facilitating public-private partnerships to exchange health information (88%). The report from the project is included in the meeting materials.
- *NeHII (Nebraska Health Information Initiative)* is piloting the exchange of health data. A virtual ribbon cutting is planned for April 2.
- *The Southeast Nebraska Health Information Network (SNBHIN)* is finalizing the system requirements for the Behavioral Health Information Exchange. A Request for Information has been issued.
- *Western Nebraska Health Information Exchange* continues to make progress, but is still determining financing models.
- *HISPC Website and Consumer Education* materials are in the initial stages of development.

Legislative Update. The Legal Work Group of the Nebraska Health Information Security and Privacy Committee (HISPC) reviewed Nebraska health information disclosure laws to identify laws more stringent than HIPAA. The Legal Work Group found one Nebraska law which was more stringent than HIPAA. Neb. Rev. Stat. 71-8403 stipulates that authorizations for release of medical records are valid for a maximum period of 180 days. The group recommended deleting the 180-day restriction. HIPAA requirements would then apply, allowing patients to state an expiration date or expiration event. At a hearing before the Health and Human Services Committee, Brenda Decker proposed an amendment to LB 288 (the Health and Human Services Clean Up Bill) to eliminate the 180-day restriction. The eHealth Council and E-Prescribing Work Group also identified a potential barrier to e-prescribing in a Nebraska statute that requires pharmacists to keep paper copies of prescriptions. A change to this statute which would allow pharmacists to keep copies of prescriptions in a readily retrievable format was included in LB 220. Lt. Governor Sheehy provided a letter supporting the provision to the Health and Human Services Committee. LB 220 is on General File.

Work Group Updates. The Health Information Security and Privacy Committee (HISPC) is finalizing a report on its activities. David Lawton, Ann Fetrick, and Ms. Byers will be attending the national Health Information Security and Privacy Collaborative meeting in Washington, D.C. March 4-6. The Adoption of Standards Collaborative has completed work on recommendations for minimum standards related to authorization and audit. The E-Prescribing and Personal Health Work Groups are developing reports and recommendations. A Public Health Work Group is being formed.

The eHealth Council will meet March 23. Lt. Governor Sheehy has been invited to discuss stimulus funding for health IT. The Council will also begin working on action plans and the development of a statewide eHealth plan. A statewide eHealth Plan is required to receive funding from a state health IT grant program included in the American Recovery and Reinvestment Act.

REPORT - EDUCATION COUNCIL REPORT
Tom Rolfes, Education I.T. Manager

The Education Council has met twice since the November 2008 NITC meeting. The Statewide Technology Plan and the Council's action items have been the major focus. The following update was shared from the Education Council's four task groups:

- *Governance*. The task group has been discussing the establishment of an advisory group for Network Nebraska to provide structure and governance in order to make network decisions.
- *Funding and eRate*. The task group has been working on prospective funding and eRate policies affecting the network. One approach was to attempt to qualify the pre-K population as eligible participants. In speaking with NDE and their legal counsel, it was best not to pursue this at this time for Nebraska. The task group is currently developing on online rate calculator for ineligible users to determine their costs for using facilities that are reimbursed by eRate.
- *Services*. The task group has been developing and discussing Network Nebraska services to be posted on the web site. The group has also been discussing the development of advance services such as a digital content depository. There are only three other states doing this right now.
- *Marketing*. In December, the task group distributed a survey in December to all educational entities (public and non-public). Survey Monkey was used. The results will be used to determine how to market Network Nebraska to new users. The Council will also use this information to formulate action items for the Statewide Technology Plan.

Network Nebraska Market Survey Report, Conclusions and Recommendations (Excerpt | Full Report)

Conclusions: The survey highlights several areas of challenge and opportunity for Network Nebraska if it seeks to grow its partners and services.

1. The survey indicates that Network Nebraska would benefit from improved communications to current partners and that potential partners lack relevant information about Network Nebraska in order to make informed decisions about becoming members of the network.
2. The perception that the governance structure does not represent the stakeholders and that leadership and support services are inadequate to support future growth is a critical concern. Addressing these three issues is essential prior to implementation of strategies directed at adding new partners and services.
3. Building a marketing campaign to increase awareness among potential partners should center on lower costs, shared resources, statewide access, and increased educational opportunities. Marketing campaigns need to be customized for individual target audiences.
4. The prevailing perception is that the network continues to mature. Partners continue to expect additional advanced services and reliability. Further research is required to define what services should be offered and the willingness of partners to pay for these services.

Recommendations:
- Utilize the data to advance their group objectives.
- Establish a steering committee of key stakeholders representing sub-sections with vested interests to guide development of network Nebraska leadership, services, and support.
- Take findings from the Market Survey Report and develop a marketing plan to be presented at the June 2009 meeting of the Education Council.
- Annually reissue the survey (with minimal changes) to evaluate the success of the recommended Action Plan(s) and ensure the future of Network Nebraska values.

REPORT - STATE GOVERNMENT COUNCIL
Rick Becker, Government I.T. Manager

Shared Services in Government. The Office of the CIO and the State Government Council established an ad hoc work group to address secure electronic file transfers. The group will consider the option of having agencies use new secure file transfer software being provided to the OCIO by the federal Social Security Administration. In February, agencies participated in demonstrations of the new software. The next step is to determine the cost to agencies.

BIENNIAL BUDGET PROJECT REVIEW - 25-01-DHHS, ACCESS NEBRASKA (Full Text)

During the biennial budget review, this project was rated Tier 4 because there was not enough information and the project was submitted late. The NITC directed the State Government Council to make a recommendation. This project is a re-engineering of their current system. The goal is to go from a paper file process to an electronic online file process that would be accessible to all DHHS case workers. At their December 11 meeting, the State Government Council voted to recommend the project be ranked as a Tier 2 project.

Commissioner Flanagan was present at the council meeting and stated that this project would make government more efficient. He recommended the project be forwarded as a Tier 1 Project. Discussion followed regarding the Technical Panel's review and concerns. Ms. Decker stated that the Technical Panel's concerns were mainly non-technical and pertained mostly to staff training and change management.

Commissioner Flanagan moved to prioritize the Access Nebraska Project as a Tier 1 Project. Commissioner Hedquist seconded. Roll call vote: Sheehy-Yes, Peterson-Yes, Park-Yes, Huggenberger-Yes, Kristensen-Yes, Hedquist-Yes, Flanagan-Yes, and Aerni-Yes. Results: Yes-8, No-0, Abstain-0. Motion carried.

REPORT - GIS COUNCIL
Larry Zink, GIS Coordinator

The GIS (Geospatial Information Systems) Council has held one meeting since the November NITC meeting.

Membership. The GIS Council voted on the following two recommendations:
- Paul Mullen, Executive Director of the Metro Area Planning Agency (MAPA), for the Omaha-area seat on the GIS Council.
- Michael Preston, GIS Manager, Kirkham Michael, for the Nebraska geospatial professional organization seat on the GIS Council.

Commissioner Kristensen moved to approve the GIS Council's recommendations and to nominate Paul Mullen and Michael Preston to serve on the GIS Council. Commissioner Peterson seconded. Roll call vote: Hedquist-Yes, Huggenberger-Yes, Kristensen-Yes, Park-Yes, Peterson-Yes, Sheehy-Yes, Aerni-Yes, and Flanagan-Yes. Results: Yes-8, No-0, Abstain-0. Motion carried.

There are three At-large and one NACO positions that need to be filled. The Council would like Panhandle and central Nebraska representation. Dr. Park was asked to refer individuals who may be interested in serving on the Council.

NebraskaMAP – A Geospatial Data Sharing and Web Services Network. Funding for the project was provided from the Government Technology Collaboration Fund through the Office of the CIO. The Office of the CIO is developing a project charter. A Governance Committee has been established. Dan Fifer has been hired as the Project Manager. Now that a project manager is in place, the project will make further progress. Douglas County and MAPA collaborated with several other cities, counties, NRDS and

state agencies to do an aerial imagery update in 2007. Planning for another collaborative imagery update are underway for 2010.

REPORT - TECHNICAL PANEL
Walter Weir, Chair

The Technical Panel has met twice since the November NITC meeting.

Project Update-NPRIS (Nebraska Public Retirement Information System). NPRIS has gone live. Saber has 16 staff on-site for the go-live. The project has been on time and on budget. Jerry Brown, Project Director, will be retiring in April and has done a great job in keeping the Technical Panel informed.

Project Update-MMIS (Medicaid Management Information Systems). Don Spaulding is the project manager and works closely with Jim Ohmberger. The federal government is contributing ninety (90%) percent of the project. Twenty-two million dollars will come from the state. The project is utilizing a risk management approach based on problems, likelihood of problems, etc. All high level risks are entered into a tracking system.

Project Update-Student Information System. Rory Weaver has been designated as the project manager. In 2008, the University of Nebraska and the State College Systems agreed to partner in this endeavor. Currently, the academic structure and campus community portions of the system are being developed. There was an issue with the online application due to the multiple campus programs with different admissions requirements.

DEFICIT BUDGET REQUEST - PROJECT REVIEW* NEBRASKA STATE COLLEGE SYSTEM AND UNIVERSITY OF NEBRASKA - <u>STUDENT INFORMATION SYSTEM REPLACEMENT</u>

The deficit request is a joint application for $11 million. The original budget request stated that additional funding may be required. During the biennial budget cycle, the State College System and the University of Nebraska had submitted separate requests totaling $42 million dollars. The NITC requested the entities collaborate and work cooperatively in this effort. A combined request was submitted for $32 million. The legislature awarded $20 million for the project leaving a $12 million balance. Mr. Weir stated that the working relationship between the University of Nebraska and State College Systems has been positive and beneficial.

Commissioners had concerns about the project's request for additional funding. Mr. Weir stated that the project has been operating with "imperfect" knowledge due to the difficulty of determining accurate numbers for travel or unexpected issues such as the online application.

Commissioner Hedquist moved that the NITC support the project because it is a good project for the State of Nebraska and it should be implemented. Commissioner Kristensen seconded. Discussion followed.

The question was raised as to what will happen if NITC does not submit a recommendation for the deficit request. Mr. Weir stated that the campuses will continue with the project and will have to pay the deficit.

There was concern about the motion stating support of the project but not mentioning the deficit request to support the implementation of the project.

Commissioner Hedquist withdrew his motion.

Commissioner Hedquist moved that the NITC support the project because it is a good project for the State of Nebraska, it should be implemented, and that the NITC realizes that there is

a deficit request to support the project's implementation. Commissioner Kristensen seconded. Roll call vote: Huggenberger-Yes, Hedquist-Yes, Flanagan-Yes, Aerni-No, Sheehy-No, Peterson-Yes, Park-Yes, and Kristensen-Yes. Results: Yes-6, No-2, Abstain-0. Motion carried.

Enterprise Project and Project Reporting Designations
Steve Henderson, I.T. Administrator, Planning and Project Management

Mr. Henderson provided a list of projects that the State Government Council and the Technical Panel are recommending be designated as Enterprise Projects. With the exception of the Access Nebraska project, the Technical Panel has opted to wait on making a recommendation on projects with current biennial budget requests until the Legislature makes a decision regarding funding.

Commissioner Peterson moved that if a project is recommended as an Enterprise Project by either the State Government Council or the Technical Panel that the NITC take their recommendations under consideration at the next meeting. The agencies may respond in writing before the next NITC meeting. Commissioner Aerni seconded. Roll call vote: Flanagan-Yes, Park-Yes, Aerni-Yes, Hedquist-Yes, Sheehy-Yes, Kristensen-Yes, and Huggenberger-Yes. Results: Yes-7, No-0, Abstain-0. Motion carried.
(Commissioner Peterson left the room prior to vote.)

OTHER BUSINESS

There was no other business.

NEXT MEETING DATE AND ADJOURNMENT

The next meeting of the Nebraska Information Technology Commission will be in May. The office will be in contact with commissioners about their availability. The Commission usually travels out-state for the May or June meeting. Lt. Governor Sheehy asked Commissioner Aerni if she would like to host the meeting.

Commissioner Peterson moved to adjourn. Commissioner Huggenberger seconded. All were in favor. Motion carried by unanimous voice vote.

The meeting was adjourned at 3:48 p.m.

Meeting minutes were taken by Lori Lopez Urdiales and reviewed by the I.T. Managers of the Nebraska Information Technology Commission.