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6			FORMATION AND ANALYSIS COUNCIL - CHIA BUDGET ANNUAL		
7			ARING (FY '19)		
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10			Council		
11			501 Boylston Street		
12			Boston, Massachusetts		
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	DATE:		April 18, 2018		ORIGINAL
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First off, are there any members of the legislature or public officials or state agencies that wish to testify today? Seeing none, we will hear testimony from anyone who has signed up.

MR. CLOUD CRAY: Good morning, ladies and gentlemen, and thank you for the opportunity to speak here today.

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I am here to voice my concern over a specific portion of the proposed FY '19 budget. The Oversight Committee and the development, operation and maintenance of the APCD - as this account is only to be funded by the effective revenue target. While this number is down from last year's \$875,000, it still reflects approaches close, the Center has only collected approximately \$422,000 between the Case Mix database revenue, came from my company alone.

Although this may be small in comparison to the operating budget of the Center as a whole and pales in comparison to us, this was an incredible expense. We applied for access to the APCD around this time last year, then we purchased last month. There are few companies our size who have been approved to access this to share a little of my experience.

We were approved to receive our data extract, but we received some disappointing news with that approval for free to consumers and thus we would not be reselling any data we received from CHIA. And yet, we had no data. I would also add that the

definition of resellers has been amended twice since we first reached out regarding significant financial burden to our company, were denied any sort of waiver. In addition to that, were looking for data in production - rather the Center would need to approve of anything before we launched it, meaning less to use it.

The Center was unwilling to enter an alternate arrangement, such as "pay upon approval."

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Despite these terms, we persisted, In the fall, we were told that the data would be ready by late November, and as you know, the data release was considerably delayed, and during that time, we incurred significant loss.

But after sufficient fund raising, and after the data was ready for release, we cut the check for \$100,000.

Yet after all of that, we did not receive the full extent of the data requested and despite our application from their staff that the information we need is available and should have been included in our extract, in detail, insisting that would be a discounted rate. Price concerns aside, this also continues to set back.

While the technical staff assured us that

this would be a quick request to fill, the finance team has treated as an entirely raw release of data, and that they intend to charge us as such. While the state regulates the Center's cost of providing such access to non-governmental entities, this strikes me as overkill.

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I am not sure if my experience is an anomaly or if this behavior is by design, but when a government agency is given certain targets of revenue, the temptation may be there to price things inappropriately and not offer. I am not certain that this is the appropriate venue to ask for help resolving this matter, but if this is a symposium that targets regarding annual revenue, then I do need to bring it to attention today.

I understand that the Center has high costs, has been dealt significant budget cuts in the last two years, they are expected or enticed to generate, while simultaneously entertaining plans to release certain data as steward of this data. This structure gives incentives to the Center to maximize the money they can extract from into organizations with missions aligned with theirs.

When I first reached ou to CHIA, I was excited to work with an organization that shared my dedication in the common mission, and despite providing

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I would like this council to consider how this budget, and ultimately any decision regarding the financing health IT ecosystem as a whole. When I started this company, Massachusetts was the obvious choice - together with the willingness to adopt new technologies and to foster innovation in the health IT space. I won't purchase next year's data. In fact, if these delays persist, my company may not be around anyway. Thank you for your time.

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MR. RAY CAMPBELL: I want to thank you for showing up and I thank you for your comments. They were fair and reasonable. You really, you did not personalize it. You understand the dilemma we have. On

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1 CERTIFICATE 2 3 Commonwealth of Massachusetts Suffolk, ss. 4 5 I, William M. Jackson, a notary public in and for the Commonwealth of Massachusetts, do hereby certify: 6 That the foregoing transcript is a true and 7 correct record of the testimony/statements given by the said witness and/or attorneys at the time and place 8 specified hereinbefore. 9 I FURTHER CERTIFY that I am neither a relative nor employee of nor counsel for any of the parties, nor am I financially interested directly or indirectly in 10 the outcome this action. 11 IN WITNESS WHEREOF, I have hereunto set my hand 12 and Notarial Seal this 18th day of April, 2018. 13 William M. Jackson 14 Notary Public 15 My Notary Commission expires: October 26, 2018. 16 \* \* \* \* 17 THIS TRANSCRIPT IS THE WORK PRODUCT OF THE CERTIFYING COURT REPORTER; REPRODUCTION AND/OR DISTRIBUTION OF ANY 18 PART THEREOF IS THE SOLE AND EXCLUSIVE RIGHT OF THE CERTIFYING COURT REPORTER. THE FOREGOING CERTIFICATION 19 OF THIS TRANSCRIPT DOES NOT APPLY TO ANY REPRODUCTION AND/OR DISTRIBUTION OF THE SAME BY ANY MEANS UNLESS 2.0 UNDER THE DIRECT CONTROL AND/OR SUPERVISION OF THE 21 CERTIFYING COURT REPORTER. 22 23

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