

MDH POLICY

<https://health.maryland.gov/Pages/mdhpolicies.aspx>

OFFICE OF THE SECRETARY

MDH POLICY #01.06.02

Effective Date: 08/03/2022

INFORMATION TECHNOLOGY PROJECT AND FISCAL MANAGEMENT POLICY

I. EXECUTIVE SUMMARY

The mission of the Maryland Department of Health (MDH) is to promote and improve the health and safety of all Marylanders through disease prevention, access to care, quality management, and community engagement. To accomplish this mission MDH engages in various high priority information technology (IT) projects.

This policy outlines the procedures that MDH will follow to:

- Submit and track an IT project request through the MDH Office of Enterprise Technology (OET);
- Ensure that there is budget and fiscal management and oversight of the project;
- Interface with the appropriate IT developers and platforms to ensure that the IT project is developed and maintained or operated; and
- Comply with State (including but not limited to the [State IT Security Manual](#) and [Major IT Development Projects](#)) and MDH data use (including but not limited to the [MDH Data Use Policy 01.06.01](#)) other cyber security policies (including but not limited to [MDH Policy 02.01.01](#)), and Federal Health Insurance Portability and Accountability Act (HIPAA) (as outlined in MDH Policies [01.03.05](#), [01.03.06](#), and [01.03.07](#)) or U.S. Centers for Medicare and Medicaid Services (CMS) requirements.

II. BACKGROUND

In a series of Executive Orders, the State of Maryland prioritized data security and privacy in all state agencies. These orders set forth specific requirements such as the establishment of a Data Office within MDH ([01.01.2021.09](#)). The orders also established the Maryland Total Human-services Integrated Network (MD THINK) ([01.01.2021.11](#)) and was further amended with Executive Order [01.01.2022.03](#).

III. POLICY STATEMENTS

A. Definitions.

In this policy, the following terms have the meanings indicated.

MARYLAND DEPARTMENT OF HEALTH

OFFICE OF REGULATION AND POLICY COORDINATION (ORPC)
201 West Preston Street - Suite 512 – Baltimore Maryland 21201-2301
Phone 410 767-6499 FAX 410 767-6483

1. **“IT Executive Operations Committee”** means the committee within MDH that is responsible for review of all IT projects greater than \$200,000. Membership of the Committee includes individuals designated in this policy and Attachment 1 as voting or advisory members.
2. **“MD THINK”** means the Maryland Total Human-services Integrated Network (MD THINK) as outlined in [Executive Order 01.01.2022.03](#) and is a platform composed of servers, network infrastructure, software, and application components established, developed, maintained, and operated to host and manage the business products, applications, data, and services hosted and managed on the platform. MD THINK is governed by the MD THINK Committee and overseen by the MD THINK Executive Director.
3. **“IT Project”** means any action involving the provision of new or continued IT services, platform, infrastructure, software, or electronic data management and analysis capabilities between an MDH Unit and another party, including MD THINK, that involves the use of MDH funds. IT Projects include, but are not limited to Advance Planning Documents submitted to the U.S. Centers for Medicare and Medicaid Services (CMS), Application Operation Agreements, procurements as defined by the State Finance and Procurement Article, Interagency Agreements, Memoranda of Understanding, task orders, purchase order requests for procurements (PORFPs), or work orders.
4. **“MDH Unit”** means an administration, program office, business unit, or any other entity that has completed and returned an MDH Network Connection Conditions Form (See Attachment 2) and is connected to the MDH Network.
5. **“MDH Network”** means the information technology services and network infrastructure provided and maintained by the MDH Office of Enterprise Technology (OET).
6. **“MDH OET Intake Process”** means the process by which an MDH unit informs the Office of Enterprise Technology of a new or extended IT project through submission of an intake ticket.

IV. **MDH OET INTAKE PROCESS**

A. **Applicability.**

This policy applies to any MDH Unit as defined by Section III.A.4.

Note: Local health departments and health occupation boards who use non-MDH funds (special, federal, or other) are required to submit their IT Project for MDH OET Intake technical review and are encouraged to submit quarterly project milestone updates, if applicable, to the MDH IT Executive Operations Committee. In addition, an attestation of the procurement method used to

procure the resources for the IT Project (i.e., through the county's process and approval date or via State Procurement) shall be submitted to the MDH IT Executive Operations Committee.

B. Process.

1. Any MDH unit that wishes to begin a new IT project, or to extend a current IT project (e.g., if the existing services contract is to be renewed or modified including exercising any options), shall submit a ticket to the [MDH OET Portfolio Office Intake Form](#) at the appropriate time. The MDH unit must submit, at minimum, the following:

- a. Project description, including business use objective and how the proposed IT services will meet this objective and business use objective;
- b. Expected term of services;
- c. An identified funding source(s), proposed budget, and proposed fund certificate (if applicable);
- d. Plan for operation and maintenance, including proposed budget submissions (if applicable); and
- e. Any technical information required by MDH OET.

2. MDH OET shall promptly provide an interim review within 7 days, and a final review within 30 days, of all intake forms and contact the MDH unit for additional information as appropriate in order to make the following determinations:

- a. Continue with the current solution (i.e., vendor, platform, or application, etc.) to extend the IT project, as is or with proposed changes;
- b. Choose not to continue with the current solution and build a new system or seek a solution that provides an alternative capability;
- c. Choose not to continue with the current solution and competitively solicit for a new vendor/tool; or
- d. Competitively solicit for a vendor or build a new system or seek a solution that provides an alternative capability.

A MDH Unit may escalate this determination by MDH OET to the MDH IT Executive Operations Committee.

Note: This is an opportunity to start conversations; MDH Units may not have all of the required information at the beginning of the intake process. However, MDH Units must have a prospective fund source(s).

Note: As part of the evaluation process, MDH OET will evaluate and consult with MD THINK, pursuant to Executive Order [01.01.2022.03](#), for consideration of leveraging MD THINK for health systems modernization and data hosting.

3. IT projects that receive a competitive solicitation determination shall be referred by MDH OET to the MDH Office of Contract Management and Procurement (OCMP) for assistance in developing and soliciting the appropriate procurement vehicle.
4. Any IT project that is estimated to cost more than \$200,000, shall be referred by MDH OET to the MDH IT Executive Operations Committee for further action as outlined in Section V of this Policy.
5. MDH OET shall refer any IT project, as appropriate, to the MDH Office of Internal Controls, Audit Compliance & Information Security (IAC/S) for cybersecurity review and to the MDH Data Office.
6. MDH OET shall consult, submit notification, or obtain the necessary approval from the Department of Information Technology (DoIT) as required (i.e., DoIT intake process).

C. Penalty.

Any IT project that is not reviewed and approved by MDH OET may be subject to immediate disconnection from the MDH network or removal from any end user computers by MDH OET.

V. MDH IT EXECUTIVE OPERATIONS COMMITTEE

There is an IT Executive Operations Committee (Committee) within MDH.

A. Purpose of Committee.

The Committee shall provide department-wide IT project governance and referrals to OCMP, IAC/S, or other MDH units as applicable for further alignment. Representatives of the following may sit on the Committee:

- The MDH Office of Finance;
- The Maryland Total Human-services Integrated Network (MD THINK)
- The MDH Office of Contract Management and Procurement (OCMP);
- The MDH Office of Internal Controls, Audit Compliance & Information Security (IAC/S);
- The MDH Data Office;
- The MDH Office of Enterprise Technology (OET); and
- MDH Administrations: The Medical Care Program (Medicaid), Public Health Services (PHS), the Developmental Disabilities Administration (DDA), the Behavioral Health Administration (BHA), and the Operations Administration (OPS).

1. The Committee shall review IT Projects submitted to MDH OET via the MDH OET Portfolio Office intake form for:
 - a. Proposed expenditures of MDH funds (both State and federal) on IT projects. All IT projects shall be given

provisional approval by the MDH OET Intake Process before being reviewed by the Committee;

- b. Programmatic purpose and alignment with MDH objectives; and
 - c. Long-term budget and financial sustainability (i.e., “no orphan projects”).
2. MDH units shall provide any information requested by the Committee or any member of the Committee in a timely fashion as part of this review.

B. Voting Members.

Voting members of the Committee include:

- The Director of OCMP;
- The Chief Financial Officer;
- The Director of IAC/S;
- The Chief Information Officer; and
- The Chief Technology Officer.

The MDH Data Officer, Medicaid Deputy Director, PHS Operations Director, and the MDH Chief Information Security Officer (CISO) are advisory members of the Committee.

There is a Chair of the Committee. The Chair shall be the MDH Chief Financial Officer. Attachment 1 of this Policy outlines the organizational structure of the Committee. The Chair, at their discretion, shall designate staff for this Committee to assist in the Committee’s work. At the discretion of the Chair, additional invitees, including the relevant Administration Chiefs of Staff or Operations Directors, may join the Committee meetings to provide subject-matter expertise and act in an advisory capacity, i.e., the business unit requesting the IT project.

C. Meeting Cadence.

Voting members and designated advisory members shall meet at a minimum of twice per month to discuss expenditures of MDH funds for IT projects, IT services, IT procurements, and other IT projects including but not limited to grant-funded projects, interagency agreements, and memoranda of understanding.

D. Review Requirements.

The IT Executive Operations Committee has authority to review the following:

- Any IT Project greater than \$200,000 shall be reviewed by the Committee. Projects that are not reviewed and approved by the Committee or the MDH Secretary in writing are not authorized by

MDH and shall be denied payment, including on invoiced amounts under \$200,000 when the total project cost is greater than \$200,000. The voting members of the Committee shall provide written notification to the MDH Unit regarding whether the project agreement is approved or denied.

- Any IT Projects resulting in an expenditure of MDH funds ranging from \$200,000 to \$1,000,000 shall be reviewed by the Committee and approved or denied.
- Any IT Project resulting in an expenditure of MDH funds greater than \$1,000,000 shall be reviewed by the Committee.

Following review of any project greater than \$1,000,000, the Committee shall provide a written memorandum to the MDH Secretary with their recommendations regarding approval or denial of the agreement. The MDH Secretary shall have final authority regarding approval or denial of the IT Project.

Any business operation or question involving an IT project and relevant federal or state law, regulation, or procedure.

E. Fund Certifications.

1. Before any fund certificate can be reviewed, a scope of work must be developed and approved by the proposed fund certificate signatories.
2. For any IT Project greater than \$200,000:
 - The CFO must review and approve any associated fund certification;
 - The Director of OCMP must review and approve any associated fund certification; and
 - A fund certificate is not valid without the CFO and OCMP Director's signatures.
 - Note: The CFO may sign as the Budget and Management Office Analyst and the OCMP Director may sign as the Procurement Officer.

VI. ADDITIONAL IT PROJECT CONSIDERATIONS

1. Each IT Project shall have and regularly update its project governance structure or organization chart, and ensure that the Committee has updated records of:
 - a. Charter and governance committee members (if applicable)
 - b. OCMP or Administration contract monitor
 - c. MDH-designated Project/Program Manager
 - d. MDH Finance Officer

2. Each MDH Unit, in consultation with OET, is responsible for their IT project needs including, but not limited to developing yearly budget requirements regarding their IT project's operations and maintenance costs for the anticipated term of the project or contract.
3. Each IT project shall provide quarterly project status reports to the Committee, as well as any other relevant information requested by the Committee.
4. In addition, should the IT project not meet its project or fiscal milestones, or is likely to exceed its fund certificate, the project shall be reviewed by the Committee. The Committee may direct appropriate remedial or operational steps as needed.

B. Use of MD THINK for MDH-funded IT Projects.

For IT projects that utilize MD THINK, the following applies:

1. MD THINK may not begin or continue work on any IT project funded by MDH (through either state or federal funds) without approval by the Committee.
2. The MD THINK Operator shall designate appropriate staff to ensure that associated invoices for MDH IT projects are either shared and/or processed by MDH Office of Finance staff.

C. Additional State & MDH IT Project Considerations

Additional considerations for MDH IT Projects include review and approval for all Data-Related Agreements by the Strategic Data Initiative Team in accordance with the [MDH Data Use Policy 01.06.01](#). IT Projects must also comply with all MDH IT Security and related policies, including but not limited to [MDH Policy 02.01.01](#). Further, IT Projects must comply with all State IT security and related policies, including but not limited to the [State Information Security Manual](#) and [Major IT Development Projects](#).

VII. REFERENCES

- Department of Information Technology: Major IT Development Projects
<https://doit.maryland.gov/epmo/Pages/MITDP/default.aspx>
- Executive Order 01.01.2021.09 State Chief Data Officer:
<https://governor.maryland.gov/wp-content/uploads/2021/07/State-Chief-Data-Officer.pdf>
- Executive Order 01.01.2021.11 Maryland Total Human-services Integrated Network:
<https://governor.maryland.gov/wp-content/uploads/2021/07/Maryland-Total-Human-services-Integrated-Network.pdf>

- Executive Order 01.01.2022.03 Maryland Total Human-services Integrated Network:
<https://governor.maryland.gov/wp-content/uploads/2022/04/Maryland-Total-Human-Services-Integrated-Network.pdf>
- MDH OET Portfolio Office Intake Form:
<https://saas.workotter.com/workotter/Workotter/narequest/MDH>
- MDH Policy 01.03.05 HIPAA Individual Rights:
<https://health.maryland.gov/docs/p010305.pdf>
- MDH Policy 01.03.06 HIPAA Privacy Administrative Requirements:
<https://health.maryland.gov/docs/p010306.pdf>
- MDH Policy 01.03.07 HIPAA Breach Response Policy:
<https://health.maryland.gov/docs/01.03.07%20HIPAA%20Breach%20Response%20Policy%207-22-14%20%281%29.pdf>
- MDH Policy 01.06.01 MDH Data Use Policy:
<https://health.maryland.gov/Documents/MDH%20Data%20Use%20Policy%2001.06.01%20-%20Eff%206.13.22.pdf>
- MDH Policy 02.01.01 Employee Information Technology Security: Protecting Non-Public Information:
<https://health.maryland.gov/docs/02.01.01%20EITS%2010-16-13.pdf>
- State of Maryland Information Technology Security Manual, Version 1.2
<https://doit.maryland.gov/Documents/Maryland%20IT%20Security%20Manual%20v1.2.pdf>

VIII. ATTACHMENTS

- Attachment 1 - IT Executive Operational Committee Organizational Chart
- Attachment 2 - MDH Network Connection Conditions Form

APPROVED:



Dennis R. Schrader, Secretary, MDH

08/03/2022

Effective Date

MDH Secretary

IT Executive Operations Committee

Chair
MDH CFO

Voting Members

Advisory Members

Director of
OCMP

Chief Financial
Officer

Director of
IAC/S

MDH Chief
Information Officer

MDH Chief Technology
Officer

PHS Operations
Director

MDH Chief Information
Security Officer

Medicaid Deputy
Director

MDH Data Officer



DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

MDH Network Connection Conditions Form

Instructions

Fill out the form below with as much information as possible. Save the form and email it using the details and format at the bottom of this form. The MDH Network Conditions Form shall be completed by leader of the MDH Unit submitting this form. Incomplete forms or submissions from persons without authority may delay processing.

Requester Information

Name: Title: Unit:

Email: Phone:

Technical Requirements

This form serves as an affirmation that the above-referenced MDH Unit has received and reviewed the following documents.

Initial	Description of Requirement
<input type="text"/>	Executive Memorandum: MDH Network Reconnection Conditions
<input type="text"/>	Memorandum from MDH CISO: Requirements for Network Connectivity
<input type="text"/>	State of Maryland IT Security Manual
<input type="text"/>	MDH Information Security Policy

Unit Acknowledgement

Name: Acting on behalf of (MDH Unit):
agrees that the Unit, including its employees and information technology equipment, is in compliance with the MDH Reconnection Conditions and agrees that this is a continuing obligation going forth.*

Signature: Date:

Submissions

Email completed MDH Network Connection Condition Form requests to secretary.health@maryland.gov. Use the subject line "<Unit Name> – MDH Network Connection Conditions Form" to ensure the form is received. You will be notified via email upon receipt.

*Note: Failure to attest to these Network Access Conditions will result in disconnection from the MDH Network. Disconnection will require each MDH Unit to be responsible for all IT services independent of MDH, return all MDH issued equipment, and the Unit will not be reconnected to the MDH Network or resources therein.