

# Cal HHS Data Exchange Framework Policy and Procedure

<b>Subject: Requirement to Exchange Health and Social Services Information</b>	
<b>Status:</b>	<b>Policy:</b>
<b>Effective:</b>	<b>Version</b>

## **I. Purpose**

California Health and Safety Code § 130290 was enacted in 2021 and establishes the creation of the California Health and Human Services Data Exchange Framework (“Data Exchange Framework”), which requires certain data sharing among Participants. The purpose of this policy is to set forth the responsibilities of Participants to respond to requests for Health and Social Services Information pursuant to the Data Exchange Framework.

## **II. Policy**

All Participants shall exchange Health and Social Services Information in accordance with this policy.

## **III. Procedures**

### **1. DUTY TO RESPOND**

a. All Participants that request Health and Social Services Information for Permitted Purposes or Required Purposes shall have a corresponding reciprocal duty to respond to requests for Health and Social Services Information for these purposes. A Participant shall fulfill its duty to respond by either (i) providing the requested Health and Social Services Information, or (ii) responding with a standardized response that indicates the Health and Social Services Information is not available or cannot be exchanged. All responses to requests for Health and Social Services Information shall comply with Specifications, the Data Sharing Agreement (the “DSA”), any other data exchange agreements, and Applicable Law.

### **2. TECHNOLOGY AGNOSTIC**

a. The Data Exchange Framework is intended to be technology agnostic, meaning that no particular technology or method to exchange data is preferred. Participants may use various technology solutions, applications, interfaces, software, platforms, clearinghouses, and other information technology (IT) resources to support exchange of Health and Social Services Information. However, each Participant shall engage in the Meaningful Exchange of Health and Social Services Information either through execution of an agreement with an entity that provides data exchange services or through use of their own technology.

b. Each Participant agrees to exchange Health and Social Services Information in accordance with the Data Exchange Framework to the extent the Participant is technologically ready and able and as set forth in the Policies and Procedures.

c. Starting January 31, 2024, the following Participants shall be considered technologically ready and able and shall exchange information under the Data Exchange Framework and any other information sharing agreements they are parties to:

(1) Healthcare organizations as set forth in California Health and Safety Code § 130290(f), except for those set forth in section 130290(b)(2); and

(2) health information networks, health information organizations, health information service providers, or electronic health records technology providers.

d. The following Participants may access Health and Social Services Information under the Data Exchange Framework but are not required to disclose information until they are technologically able and ready:

(1) Any healthcare provider, organization, group, facility, hospital, clinic, laboratory, health care service plans and health insurers, disability insurer not set forth in Section (2)(c) above;

(2) Governmental Participants; and

(3) Social Services Organizations.

e. Participants that are not technologically ready and able shall not use such classification as a justification for failure to engage in the Meaningful Exchange of Health and Social Services Information under the Data Exchange Framework. Participants must engage in Meaningful Exchange of Health and Social Services Information. Notwithstanding the above or any applicable Policies and Procedures, a Social Services Organization is not required to exchange Health and Social Services Information or contract with another entity that provides data exchange services.

### 3. MISCELLANEOUS

a. Nothing in this Policy shall require a disclosure that is contrary to a restriction placed on Health and Social Services Information by an individual pursuant to Applicable Law.

#### IV. Definitions

**“Meaningful Exchange”** means that a Participant shall comply with all Policies and Procedures and, if not technologically ready and able to exchange Health and Social Services Information, shall use best efforts to contract with another entity that provides data exchange services.

**“Permitted Purposes”** means the purposes for which Participants are permitted to exchange Health and Social Services Information as set forth in the Permitted and Required Purposes Policy and Procedure.

**“Required Purposes”** means the purposes for which Participants are required to exchange Health and Social Services Information as set forth in the Permitted and Required Purposes Policy and Procedure.

All other capitalized terms not defined herein shall have the same meaning as set forth in the DSA.

#### V. References

#### VI. Related Policies and Procedures

Permitted, Required, and Prohibited Purposes Policy and Procedure

**VII. Version History**

	<b>Date</b>	<b>Author</b>	<b>Comment</b>
	April 21, 2022	CalHHS CDII	Draft for DxF Data Sharing Agreement Subcommittee review

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