

CalHHS Data Exchange Framework Policy and Procedure

Subject: Development of and Modifications to Policies and Procedures

Status: Final	Policy: OPP-2
Publication Date: July 5, 2022 TBD	Version: 1.0 2.0

I. Purpose

~~The Governance Entity~~The Center for Data Insights and Innovation (“CDII”) has responsibility for developing, maintaining, repealing, amending and retaining Policies and Procedures (“Policies”) to implement the California Health and Human Services Data Exchange Framework (“Data Exchange Framework”). The purpose of this policy is to set forth the procedures by which ~~the Governance Entity~~CDII will fulfill these responsibilities.

II. Policy

~~The Governance Entity~~This policy sets forth the process CDII shall follow ~~the process set forth in this policy~~ in order to develop, amend, repeal and/or replace Policies ~~and Procedures~~. An amendment to a Policy ~~and Procedure~~ shall be effective only if implemented as provided in this ~~Policy~~policy.

~~This~~Sections III.1 and III.5 of this policy shall be effective upon publication. All other sections of ~~this~~ policy shall be effective as of January 31, 2024.

III. Procedures

1. RETENTION, MAINTENANCE AND DISSEMINATION OF POLICIES AND PROCEDURES

a. All Policies ~~and Procedures~~ shall be maintained in an accessible electronic and printable format by ~~the Governance Entity~~CDII in a location that is accessible to the public. All current Policies ~~and Procedures~~ as well as originals of all amended, repealed and replaced Policies ~~and Procedures~~ shall be maintained for the duration of their usefulness in accordance with state law and policy, or if no applicable state law or policy exists, as determined by ~~the Governance Entity~~CDII.

2. SUBMISSION OF PROPOSED NEW, AMENDED, REPEALED OR REPLACED POLICIES AND PROCEDURES

a. Any Participant or other stakeholder ~~the Governance Entity~~CDII deems appropriate may submit a request in writing ~~to the Governance Entity a request~~ for the development of a new Policy ~~and Procedure~~, or a request for the amendment or repeal of an existing Policy ~~and Procedure~~. ~~Any member of the Governance Entity may also bring forth any concern or question regarding the Policies and Procedure.~~ All such requests shall: (i) identify the Policy ~~and Procedure~~ that is the subject of the requested change (if any), (ii) identify the type of Policy ~~and Procedure~~ sought (if it is a development request), (iii) provide a thorough description of why the request is necessary, and (iv) provide an analysis of the expected impact of adopting the new Policy ~~and Procedure~~ or modifying/repealing an existing Policy ~~and Procedure~~.

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b. CDII may also bring forth any concern or question regarding the Policies and Procedures, propose the development of new Policies and Procedures, and/or propose the amendment or repeal of existing Policies and Procedures.

3. CONSIDERATION OF PROPOSED NEW, AMENDED, REPEALED OR REPLACED POLICIES AND PROCEDURES

~~a. The Governance Entity~~ CDII will consider any requests from Participants or other stakeholders that meet the submission criteria set forth ~~above at its next regularly scheduled meeting in Section 2.a~~ following receipt of such request.

~~b.a. The Governance Entity~~ CDII will (a) prioritize requests; (b) consider the merits of the request, as well as the impact on Participants and individuals whose Health and Social Services Information is transmitted through the Data Exchange Framework; and (c) communicate actions taken with the requestor.

b. Prior to approving any new, amended, repealed or replaced Policy, ~~the Governance Entity and Procedure, CDII~~ shall solicit and consider comments from the Participants on the new, amended, repealed or replaced Policy, ~~and Procedure.~~ To promote openness and transparency, ~~the Governance Entity~~ CDII shall post proposed changes to the Policies and Procedures to a publicly accessible location.

c. Following ~~the Governance Entity's~~ CDII's approval of the new, amended, repealed or replaced Policy and Procedure, the Participants shall be given at least forty-five (45) calendar days to review the approved Policy and Procedure and provide written comments to ~~the Governance Entity~~ CDII, except in the event that a shorter time period is necessary in order to comply with Applicable Law.

4. IMPLEMENTATION OF CHANGES TO THE ~~OPERATING~~ POLICIES AND PROCEDURES

a. If ~~the Governance Entity~~ CDII receives no comments from Participants during the above-referenced comment period, the new, amended, repealed or replaced Policy and Procedure shall go into effect as approved by ~~the Governance Entity~~ CDII and on the date identified by ~~the Governance Entity~~ CDII, unless ~~the Governance Entity~~ CDII withdraws the new, amended, repealed or replaced Policy and Procedure prior to such date.

b. If ~~the Governance Entity~~ CDII receives comments from Participants during the above-referenced comment period, ~~the Governance Entity~~ CDII shall review the new, amended, repealed or replaced Policy and Procedure in light of the comments and make a determination as to how to modify the new, amended, repealed or replaced Policy and Procedure, if at all.

c. Once ~~the Governance Entity~~ CDII finalizes its determination, it shall provide at least one hundred and eighty (180) calendar days' notice of the effective date of the new, amended, repealed or replaced Policy and Procedure, except in the event that a shorter time period is

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necessary in order to comply with Applicable Law. Notice of the new, amended, repealed or replaced Policy and Procedure will include a summary of the comments received and the reasons ~~the Governing Entity~~ CDII accepted, accepted in part, or rejected proposals made in the comments.

5. ADMINISTRATIVE MODIFICATIONS TO THE POLICIES AND PROCEDURES

a. Notwithstanding Sections 2 through 4 above, CDII may make modifications to the Policies and Procedures to ensure administrative consistency across all Policies and Procedures and/or the DSA. Such modifications will be limited to administrative changes.

b. An “administrative change” is any change that does not have a material impact on Participants. Administrative changes also include, but are not necessarily limited to, changes to the definitions in the Policies and Procedures to ensure consistency with other Policies and Procedures and the DSA.

c. In the event CDII makes an administrative change to the Policies and Procedures, it will provide notice at least thirty (30) calendar days prior to the effective date of the change and a written explanation for the change, including why CDII determined the change would not have a material impact on Participants. CDII shall publish the proposed modification(s) to the Policies and Procedures simultaneously and provide means for public comment during such thirty (30) calendar day period to allow the public to raise any objections to the materiality of the administrative change.

IV. Definitions

All capitalized terms ~~not defined herein~~ shall have the ~~same~~ meaning ~~as~~ set forth in the Data ~~Sharing Agreement~~ Exchange Framework Glossary of Defined Terms.

V. References

VI. Related Policies and Procedures

VII.V. Version History

<u>No.</u>	<u>Date</u>	<u>Author</u>	<u>Comment</u>
<u>1.0</u>	July 1, 2022	CalHHS CDII	Final
<u>2.0</u>	TBD	<u>CalHHS CDII</u>	<u>Final. Amended to add provisions for administrative changes to the Policies and Procedures.</u>

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