

CalHHS Data Exchange Framework Policy and Procedure

Subject: Requirement to Exchange Health and Social Services Information	
Status: Final	Policy: OPP-5
Publication Date: July 5, 2022	Version: 1.0

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.

This policy shall be effective as of January 31, 2024.

III. Procedures

1. DUTY TO RESPOND

a. All Participants shall respond to requests for Health and Social Services Information made by other Participants and shall share Health and Social Services Information when required under the Required, Permitted and Prohibited Purposes Policy. A Participant shall fulfill its duty to respond by either (i) providing the requested Health and Social Services Information in accordance with the Data Sharing Agreement (the “DSA”) and Applicable Law, or (ii) providing a clear written response that states the Health and Social Services Information is not available, cannot be exchanged under Applicable Law, or is not required to be shared under the DSA.

b. All responses to requests for Health and Social Services Information shall be made as soon as reasonably practicable, but in any case within any timeframes required by Applicable Law.

c. All responses to requests for Health and Social Services Information shall comply with Specifications, 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 resources to support exchange of Health and Social Services Information.

3. REQUIREMENT TO EXCHANGE DATA

a. 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.

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b. Starting January 31, 2024, the following Participants shall be considered technologically ready and able and shall exchange information under the Data Exchange Framework:

i. Healthcare organizations as set forth in California Health and Safety Code § 130290(f), except for physician practices of fewer than 25 physicians, rehabilitation hospitals, long-term acute care hospitals, acute psychiatric hospitals, critical access hospitals, rural general acute care hospitals with fewer than 100 acute care beds, state-run acute psychiatric hospitals, and any nonprofit clinic with fewer than 10 health care providers; and

ii. Health information networks, health information organizations, health information service providers, and electronic health records technology providers.

c. Starting January 31, 2026, the following Participants shall be considered technologically ready and able and shall exchange information under the Data Exchange Framework:

i. Physician practices of fewer than 25 physicians, rehabilitation hospitals, long term acute care hospitals, acute psychiatric hospitals, critical access hospitals, rural general acute care hospitals with fewer than 100 acute care beds, state-run acute psychiatric hospitals, and any nonprofit clinic with fewer than 10 health care providers;

ii. Governmental Participants; and

iii. Social Services Organizations.

d. Starting January 31, 2024, a Participant set forth in Section (3)(c) above may request access to Health and Social Services Information from another Participant if it agrees to comply with the DSA and all Policies and Procedures. Such Participant however shall not be required to disclose information until January 31, 2026. Such Participant may disclose Health and Social Services Information prior to January 31, 2026 if it determines that it is technologically able and ready.

e. If a Participant is not technologically able and ready to exchange Health and Social Services Information by the applicable date set forth in this Policy, the Participant shall still be required to engage in the Meaningful Exchange of Health and Social Services Information under the Data Exchange Framework.

4. 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**” shall mean that a Participant shall comply with all Policies and Procedures and, if not technologically ready and able to exchange Health and Social Services

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Information, shall use best efforts to contract with another entity that provides data exchange services.

“**Permitted Purposes**” shall mean 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**” shall mean the purposes for which Participants are required to exchange Health and Social Services Information as set forth in the Permitted, Required and Prohibited 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

	Date	Author	Comment
	July 1, 2022	CalHHS CDII	Final