

CalHHS Data Exchange Framework Policy and Procedure

Subject: DxF Fees	
Status: Final	Policy: OPP-15
Publication Date: January 18, 2024	Version: 1.0

I. Purpose

California Health and Safety Code § 130290 was enacted in 2021 and establishes the creation of the California Health & Human Services Data Exchange Framework (“Data Exchange Framework”), which requires certain data sharing among Participants. The purpose of this policy is to clarify when Participants in the Data Exchange Framework may charge fees to other Participants and to Individuals.

II. Policy

The Data Exchange Framework was created to facilitate the Exchange of Health and Social Services Information among Participants. This policy sets forth the circumstances under which Participants may and may not charge fees to other Participants and to Individuals for the Exchange of Health and Social Services Information.

This policy shall be effective January 31, 2024.

1. FEES FOR REQUIRED AND PERMITTED PURPOSES

a. A Participant shall not charge fees to any other Participant for any Exchange of Health and Social Services Information under the Data Exchange Framework for a Required Purpose. However, a Participant that is an Intermediary may charge fees to another Participant if the Participant that is an Intermediary has executed a contract with the other Participant to provide services. For contracts to provide services to assist another Participant in meeting its obligations under the Data Sharing Agreement, the fees shall be consistent with Applicable Law, including but not limited to the Fees Exception in the Federal Information Blocking Regulations.

b. A Participant may charge fees to another Participant for the Exchange of Health and Social Services Information for a Permitted Purpose to the extent permissible under Applicable Law. In the absence of Applicable Law, any such fees must be reasonable.

2. FEES FOR INDIVIDUAL ACCESS SERVICES

a. Unless required by Applicable Law, a Participant shall not charge fees to an Individual for Individual Access Services that are provided via computer-to-computer Exchange that makes electronic Health and Social Services Information available pursuant to a request for Health and Social Services Information and does not require any transfer of electronic storage media such as optical disks or USB flash drives.

b. A Participant shall not charge fees to another Participant in support of Individual Access Services, except that a Participant that is an Intermediary may charge fees to another Participant if the Participant that is an Intermediary has a contract with the other Participant to provide Individual Access Services.

3. FEES REQUIRED UNDER APPLICABLE LAW

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a. Notwithstanding Sections II.1. and II.2. above, a Participant may charge another Participant fees that the Participant is required to charge under Applicable Law.

III. Definitions

All capitalized terms shall have the meaning set forth in the Data Exchange Framework Glossary of Defined Terms.

IV. References

California Information Blocking Prohibitions Policy and Procedure

Individual Access Services Policy and Procedure

V. Version History

No.	Date	Author	Comment
1.0	January 18, 2024	CalHHS CDII	Final