

CalHHS Data Exchange Framework Policy and Procedure

Subject: Permitted, Required, and Prohibited Purposes	
Status: Final	Policy: OPP-4
Publication Date: January 18, 2024	Version: 1.0.1

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”). The purpose of this policy is to: (a) set forth the purposes for which Participants in the Data Exchange Framework are required and/or permitted to Exchange and provide Access to Health and Social Services Information under the Data Exchange Framework, and (b) set forth certain restrictions on the Use by Participants of Health and Social Services Information obtained under the Data Exchange Framework.

II. Policy

This policy requires Participants to, by the dates set forth in the Requirement to Exchange Health and Social Services Information Policy and Procedure, Exchange Health and Social Services Information or provide Access to Health and Social Services Information for the Required Purposes set forth in Section II.1 of this policy. In addition, Participants may Exchange Health and Social Services Information or provide Access to Health and Social Services Information for the Permitted Purposes set forth in Section II.2 of this policy. Participants are prohibited from Using Health and Social Services Information for the purposes set forth in Section II.3 of this policy.

Nothing in this policy is intended to restrict a Participant from having arrangements outside of the Data Exchange Framework Data Sharing Agreement (the “DSA”) provided that the Participant can still comply with the DSA.

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

1. REQUIRED PURPOSES

a. Subject to the provisions of the DSA, the Policies and Procedures, and Applicable Law, Participants are required to Exchange Health and Social Services Information and/or provide Access to Health and Social Services Information pursuant to the Data Exchange Framework for Treatment, Payment, Health Care Operations and Public Health Activities. Notwithstanding the foregoing, a Participant may only request Health and Social Services Information from another Participant for Health Care Operations if the requesting Participant has or had a relationship with the Individual who is the subject of the Health and Social Services Information being requested and the Health and Social Services Information pertains to such relationship.

b. Consistent with Health and Safety Code § 130290(b) and Applicable Law, Participants are not required to Exchange abortion or abortion-related services information as part of the Exchange and/or Access required by this section II.1.

2. PERMITTED PURPOSES

a. Subject to the provisions of the DSA and the Policies and Procedures, Participants are permitted to Exchange or provide Access to Health and Social Services Information, including information subject to 42 C.F.R. Part 2, for any purpose not set forth in Section 3 below, provided

CalHHS Data Exchange Framework Policy and Procedure

Subject: Permitted, Required, and Prohibited Purposes	
Status: Final	Policy: OPP-4
Publication Date: January 18, 2024	Version: 1.0.1

appropriate Authorizations are made, if necessary, and the Disclosure or Use of Health and Social Services Information is permissible under Applicable Law. Such purposes include but are not limited to Social Services and Research activities.

3. PROHIBITED PURPOSES

a. Unless otherwise permitted by Applicable Law or a legally valid agreement, Participants shall not access Health and Social Services Information through the DSA in order to sell such information.

b. Participant shall not access Health and Social Services Information through the DSA in order to unlawfully discriminate or unlawfully deny or limit access to medical services, or prosecute or take any other adverse action against an Individual or another Participant.

III. Definitions

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

IV. References

Individual Access Services Policy and Procedure

Requirement to Exchange Health and Social Services Information Policy and Procedure

V. Version History

No.	Date	Author	Comment
1.0	July 1, 2022	CalHHS CDII	Final
1.0.1	January 18, 2024	CalHHS CDII	Final. Administrative changes only to: remove language regarding charging of fees and specifications; clarify use of certain terms and ensure consistency with the DxP Glossary of Defined Terms; add reference to HSC § 130290(b); and make certain formatting changes to be consistent with other P&Ps.