CalHHS Data Exchange Framework Policy and Procedure

Subject: Qualified Health Information Organization	
Status: Final	Policy: OPP-11
Publication Date: July 12, 2023	Version: 1.0

I. Purpose

California Health and Safety Code section 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 California Health and Human Services Agency has delegated authority to the Center for Data Insights and Innovation ("CDII") to establish and manage the Qualified HIO Program. The Qualified HIO Program will, among other things, set forth the requirements an Intermediary must satisfy to be designated as a Qualified HIO under the Qualified HIO Program. The Qualified HIO Program's designation process is intended to provide Participants with confidence in the organizational structure, service completeness, and technical and programmatic capabilities offered by Qualified HIOs in the event that such Participants choose to engage a Qualified HIO to comply with their obligations under the Data Sharing Agreement ("DSA"). While not required, Participants may choose to engage a Qualified HIO to support them in meeting some or all of their exchange obligations under the DSA. The purpose of this policy is to set forth parameters for the Qualified HIO Program.

II. Policy

This policy establishes the Qualified HIO Program.

This policy shall be effective upon publication of the final version by CDII.

III. Procedures

1. ESTABLISHMENT OF QUALIFIED HIO PROGRAM

a. CDII shall establish, manage, and oversee a Qualified HIO Program that, among other things, shall set forth the requirements for a Participant that is an Intermediary to be designated as a Qualified HIO and any ongoing obligations that a Qualified HIO must meet in order to retain such designation.

2. DESIGNATION OF QUALIFIED HIO

a. An Intermediary that is a Participant and that complies with all requirements set forth by the Qualified HIO Program shall be eligible for designation as a Qualified HIO. Such designation shall require submission by the Intermediary of an application for Qualified HIO status. The application shall be reviewed by CDII for determination of whether the Intermediary will be qualified under the Data Exchange Framework.

3. ONGOING COMPLIANCE REQUIREMENTS

a. In order to maintain its status as a Qualified HIO, an Intermediary must comply with any ongoing or updated obligations set forth by the Qualified HIO Program, including but not limited to signing and complying with the terms of the DSA and complying with the Policies and Procedures.

4. SUSPENSION AND/OR TERMINATION OF QUALIFIED HIO STATUS

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a.   In accordance with the Qualified HIO Program, CDII may temporarily suspend or may terminate an Intermediary's status as a Qualified HIO if it determines the Qualified HIO is not in compliance with requirements set forth by the Qualified HIO Program, including this policy.

i.   *Complaint Process*. The Qualified HIO Program shall establish a complaint process by which individuals, entities, or Participants may file a complaint against a Qualified HIO. CDII shall investigate each complaint.

ii.   *Appeals Process.* The Qualified HIO Program shall establish an appeals process to allow an Intermediary to appeal an action where CDII has temporarily suspended or has terminated its Qualified HIO status.

IV.   Definitions

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

V.   References

45 C.F.R. §§ 160 and 164

Health Insurance Portability and Accountability Act (HIPAA) of 1996

California Civil Code § 56.05

California Civil Code §1798.140(o)

California Health and Safety Code § 130290(f)

VI.   Version History

No.	Date	Author	Comment
1.0	July 12, 2023	CalHHS CDII	Final