

# CalHHS Data Exchange Framework Policy and Procedure

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| <b>Subject: Requirement to Exchange Health and Social Services Information</b> |                      |
| <b>Status: Final</b>   | <b>Policy: OPP-5</b> |
| <b>Publication Date: November 15, 2023</b>                                     | <b>Version: 2.0</b>  |

## 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 set forth the responsibilities of Participants to respond to requests for Health and Social Services Information under the Data Exchange Framework.

## II. Policy

This policy requires all Participants to 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 Permitted, Required, and Prohibited Purposes Policy and Procedure. A Participant shall fulfill its duty to respond by either providing the requested Health and Social Services Information it Maintains in accordance with the Data Sharing Agreement (the “DSA”) and Applicable Law; or in the following circumstances, providing an appropriate error message or null response as specified by the technical standard in use and in accordance with the Technical Requirements for Exchange Policy and Procedure:

#### i. Required Purposes

a. If the request for Health and Social Services Information is for a Required Purpose and the Participant cannot fulfill the request because the Participant either: 1) determines that the requested Health and Social Services Information cannot lawfully be shared under Applicable Law; 2) determines that an exception in the California Information Blocking Prohibitions Policy and Procedure applies and the Participant elects to use such exception; 3) does not Maintain the requested Health and Social Services Information; or 4) is unable to match a request to an Individual’s identity through Person Matching consistent with the Technical Requirements for Exchange Policy and Procedure.

#### ii. Permitted Purposes

a. If the request for Health and Social Services Information is for a Permitted Purpose and the Participant cannot fulfill the request because the Participant either: 1) determines that the requested Health and Social Services Information cannot lawfully be shared under Applicable Law; 2) determines that an exception in the California Information Blocking Prohibitions Policy and Procedure applies and the Participant elects to use such exception; 3) does not Maintain the requested Health and Social Services Information; or 4) is unable to match a

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request to an Individual's identity through Person Matching consistent with the Technical Requirements for Exchange Policy and Procedure.

b. If the request for Health and Social Services Information is for a Permitted Purpose and the Participant does not wish to fulfill the request.

iii. Prohibited Purposes

a. If the request for Health and Social Services Information is for a Prohibited Purpose.

b. All responses to requests for Health and Social Services Information shall comply with the DSA, the Policies and Procedures, and Applicable Law.

## 2. DUTY TO DELIVER HEALTH AND SOCIAL SERVICES INFORMATION

a. Participants shall deliver Health and Social Services Information to other Participants in the method required by the Technical Requirements for Exchange Policy and Procedure. A Participant shall have fulfilled its duty by delivering applicable Health and Social Services Information in accordance with the DSA, Applicable Law, and the Policies and Procedures, including but not limited to the Technical Requirements for Exchange Policy and Procedure.

i. Notwithstanding paragraph (a) above, a delivering Participant is not required to deliver Health and Social Services Information consistent with the Technical Requirements for Exchange Policy and Procedure if the intended recipient:

a. Has chosen not to receive or is not technologically capable of receiving the information using technical standards required of the delivering Participant in the Technical Requirements for Exchange Policy and Procedure; and either:

(i) Has chosen not to receive or is not technologically capable of receiving the information using the technical standards for receiving Participants found in the Technical Requirements for Exchange Policy and Procedure; or

(ii) Has chosen to receive the information using a technical standard found in the Technical Requirements for Exchange Policy and Procedure that the delivering Participant is not required to support and does not support.

## 3. REQUIREMENT TO EXCHANGE DATA

a. Starting January 31, 2024, the following Participants shall provide Access to and Exchange Health and Social Services Information in accordance with the DSA and Policies and Procedures:

i. Healthcare organizations listed 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

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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.

b. Starting January 31, 2026, the following Participants shall provide Access to and Exchange Health and Social Services Information in accordance with the DSA and Policies and Procedures:

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 who are Voluntary Signatories;

iii. Social Services Organizations; and

iv. All other Voluntary Signatories that are not listed in this Section.

c. Participants listed in Section 3.b above may Exchange Health and Social Services Information with other Participants prior to January 31, 2026 provided that all Participants engaged in the Exchange have executed the DSA and comply with the Policies and Procedures.

## 4. Miscellaneous

a. This policy does not override or supersede a restriction requested or placed by an Individual or their Personal Representative on Access, Use, or Disclosure of their Health and Social Services Information by a Participant pursuant to Applicable Law.

## IV. Definitions

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

## V. References

California Health and Safety Code § 130290

California Information Blocking Prohibitions Policy and Procedure

Permitted, Required, and Prohibited Purposes Policy and Procedure

Technical Requirements for Exchange Policy and Procedure

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## VI. Version History

| <b>No.</b> | <b>Date</b>       | <b>Author</b> | <b>Comment</b>  |
|------------|-------------------|---------------|---|
| 1.0        | July 1, 2022      | CalHHS CDII   | Final   |
| 2.0        | November 15, 2023 | CalHHS CDII   | Final. Amended in response to public comment and stakeholder feedback and to make administrative changes to clarify use of certain terms and ensure consistency with the DxF Glossary of Defined Terms. |