

California's Data Exchange Framework: Data Sharing Agreement and Policies & Procedures

Updated April 2023



Overview

Once implemented across California, the Data Exchange Framework (DxF) will create **new connections and efficiencies among health and social services providers, improving whole-person care**. The DxF is California's **first-ever statewide data sharing agreement** that requires the secure and appropriate exchange of health and social services information to enable providers to work together and improve an individual's health and wellbeing.

The DxF requires certain entities to **“exchange health information or provide access to health information to and from”** other specified entities in “real-time” by January 31, 2024. **These entities include general acute care and psychiatric hospitals, physician organizations and medical groups, skilled nursing facilities (SNFs), clinical labs, and health care service plans and Medi-Cal managed care plans.** Other entities, such as physician practices with fewer than 25 physicians, have until January 31, 2026 to fully implement the DxF.

To join the DxF, **many health entities are required by law to take the first step of a year-long implementation process by signing the DxF Data Sharing Agreement (DSA)** and following a common set of terms, conditions, and obligations set forth in shared Policies & Procedures (P&Ps).

Key provisions of the Data Sharing Agreement and Policies & Procedures

The DxF Data Sharing Agreement (DSA) is a signed agreement and shared commitment between hospitals, physician organizations and medical groups, skilled nursing facilities, health plans and disability insurers, clinical laboratories, acute psychiatric hospitals, and other voluntary signatories to securely and appropriately share information.

The DSA defines “Health and Social Services Information” as “any and all information received, stored, processed, generated, used, transferred, disclosed, made accessible, or shared pursuant to this Agreement... Health and Social

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Services Information may include PHI, PII, deidentified data..., anonymized data, pseudonymized data, metadata, digital identities, and schema.”

The **P&Ps have been under development since early 2022 and continue to be developed in 2023**, through a public and collaborative process that is designed to consider the needs of all health and social services providers and the individuals they serve.

Below are several topics and associated provisions addressed by both the final DSA and P&Ps, released by CDII on July 5, 2022:

<p>Requirement to exchange health and social services information (P&P OPP-5)</p>	<p>Participants have an obligation to share certain data with all other participants, unless they do not have the data requested or cannot share it under law.</p>
<p>Data elements to be Exchanged (P&P OPP-8)</p>	<p>Health care providers are required to share clinical data, while health plans are required to share claims, encounter, and clinical data.</p>
<p>Methods to exchange data (P&P OPP-5)</p>	<p>Participants may use various technology solutions to support the exchange of Health and Social Services Information, including Qualified Health Information Organizations (HIOs).</p>
<p>Permitted, required, and prohibited uses (P&P OPP-4)</p>	<p>Participants are required to share data related to Treatment, Payment, and some Health Care Operations activities (as defined under HIPAA) that do not require patient authorization and are permitted to share data where allowed by law and subject to patient authorization. Participants cannot access information through the DSA with the intention of selling that data and cannot charge fees to other participants for any exchange.</p>
<p>Breach notification (P&P OPP-3)</p>	<p>Participants must notify the Governance Entity (once established) and any affected participants of any breach, in addition to complying with all other applicable breach notification laws.</p>
<p>Individual access services (P&P OPP-7)</p>	<p>Individuals have the right of access to inspect and copy their data maintained by any Participant, except where the Participant has sufficient grounds to deny such right of access under applicable law.</p>



Remaining Policy Issues to Address through P&Ps

CDII is currently finalizing additional P&Ps after releasing drafts for public comment in early 2023, which include the following topics:

- State-specific information blocking prohibitions
- Technical requirements for exchange
- Real-time exchange
- Early exchange
- Additional privacy standards and security safeguards

CDII is also developing a qualification process for health information organizations. These **qualified health information organizations (QHIOs), as defined in the DSA, can serve as data sharing intermediaries**, similar in concept to the qualification process developed for the California HIE Onboarding Program (Cal-HOP).

CDII has also indicated that it will work in 2023 to receive statutory authority for governance and enforcement. The DSA and P&Ps reference a governance entity that will oversee the DxF and develop subsequent policies and enforcement.

Take Action: Sign the DSA

To join the Data Exchange Framework, many health entities are required by law to sign the DxF DSA and follow a common set of terms, conditions, and obligations that promote whole-person care. Scan the QR code and sign the DSA today.



About the Multi-Association DxF Education Initiative

Groups including **America's Physician Groups, California Academy of Family Physicians, California Quality Collaborative, California Association of Area Agencies on Aging, California Association of Health Facilities, and California Association of Health Information Exchanges** have come together to inform their members about the CalHHS DxF DSA. **Transform Health** and **BluePath Health**, through Connecting for Better Health, are providing facilitation and management support for this initiative. For more information about the Multi-Association Education Initiative and the DxF, please visit our webpage or email us at dxfeducation@connectingforbetterhealth.com.

