

April 20, 2022

John Ohanian  
Chief Data Officer  
California Health & Human Services Agency  
1205 O St.  
Sacramento, CA 95814

**Subject: Governance model, policy opportunities, and digital identities strategies**

Dear John:

We appreciate the opportunity to provide feedback on the draft governance model, regulatory and policy opportunities, and digital identities strategies presented at the April 2022 Data Exchange Advisory Group meeting.

- **Governance model:** It is difficult to provide advice on a governance model when the function and scope of a future oversight or policy body is unclear. As stated during the April 2022 meeting, form should follow function. In other words, the purpose of a governance entity should be the starting point for its design, and not the other way around. We believe the state should consider adopting the Office of the National Coordinator for Health Information Technology's Trusted Exchange Framework and Common Agreement — which clearly establishes governance and other policy functions. Once adopted, California should focus on identifying unique state needs that are outside of the federal framework. The governance structure required for this take is much narrower than the Advisory Group's conversation, and issues of representation and conflict of interest far less important.
- **Digital identity:** Similar to our views on governance, we continue to support alignment with national standards, including gender, as a way to ensure accurate matching. Hiding gender, sex assigned at birth, addresses, or any other common identifiers will increase the risk of no match or mismatches, and the risk of mismatches and possible care errors is too high.
- **Statewide index:** As to whether the state should operate a statewide index, it is important to remember that many of our residents move in and out of California and/or receive care in other states. As such, it would be of little value for the state to administer another index.
- **Regulatory and policy opportunities:** We recommend harmonizing state policy, regulations, and guidance with federal policy. Regarding a statewide consent management service, we would

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strongly recommend reserving this to serve the needs of entities participating in the Data Exchange Framework that don't already have a consent mechanism and are unable to participate in non-state-sponsored consent management services.

Thank you again for the opportunity to provide feedback on the presentations from the April 2022 meeting.

Sincerely,



Carmela Coyle  
President & CEO  
California Hospital Association



Erica Murray  
President and CEO  
California Association of Public Hospitals

cc: Mark Ghaly, Secretary, California Health & Human Services Agency  
Marko Mijic, Undersecretary, California Health & Human Services Agency  
Richard Figueroa, Deputy Cabinet Secretary, Office of the Governor