

Data Exchange Framework

DSA Signing Portal

Town Hall

**Who needs to sign the DxF DSA? How do I sign the DSA?
And Other Frequently Asked Questions**

January 6, 2023



Q&A Procedure

- Please submit your questions through the Zoom Q&A function.
- CDII will select questions to be answered live during the webinar as time allows.
- If your question was not answered during the session and you would like to follow up with CDII, please submit it to cdii@chhs.ca.gov.

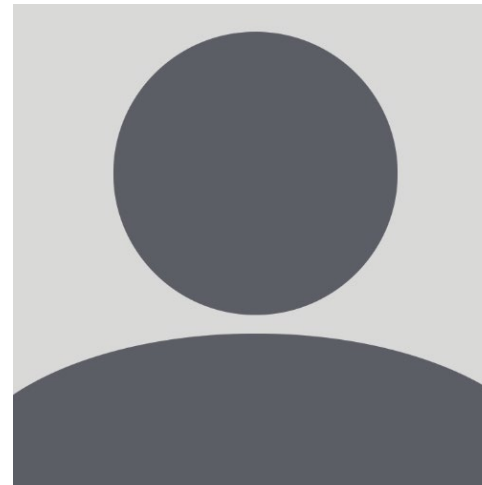
Speaker Introductions



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Agenda

- **Vision for Data Exchange in California**
- **The DxF Data Sharing Agreement (DSA)**
 - DSA Overview
 - Policies & Procedures Overview
 - Frequently Asked Questions
- **The DSA Signing Portal**
 - How to Sign the DSA: A Demonstration
 - Frequently Asked Questions
- **Questions & Answers**
- **Wrap up & Next Steps**



Vision for Data Exchange in California

The Vision for Data Exchange in California

Every Californian, and the health and human service providers and organizations that care for them, will have timely and secure access to usable electronic information that is needed to address their health and social needs and enable the effective and equitable delivery of services to improve their lives and wellbeing.



The DxF DSA and Policies & Procedures

What is the DxF Data Sharing Agreement?

AB 133 required the establishment of a single data sharing agreement and a common set of policies and procedures that govern and require the exchange of health information.

The DxF Data Sharing Agreement (DSA) is:

- A legal agreement that a broad spectrum of health organizations will be required to execute by January 31, 2023, with required data sharing beginning by January 31, 2024 or January 31, 2026, depending on the participant type.
- Intended to facilitate data exchange between Participants in compliance with applicable federal and state law.
- Sets forth a common set of terms, conditions, and obligations to support secure real-time access to, or exchange of, Health and Social Services Information between and among Participants.

The DSA is not intended to replace or supersede any existing or future agreement between or among Participants that provides for more extensive data exchange than the DSA requires.

Who Has to Sign the DxF DSA by January 31, 2023?

#	Required Signatory Type
1	General acute care hospitals , as defined by Health and Safety Code (HSC) section 1250.
2	Physician organizations and medical groups.
3	Skilled nursing facilities , as defined by HSC section 1250, that currently maintain electronic records.
4	Health care service plans and disability insurers that provide hospital, medical, or surgical coverage that are regulated by the Department of Managed Health Care or the Department of Insurance. This section shall also apply to a <u>Medi-Cal managed care plan under a comprehensive risk contract</u> with the Department of Health Care Services pursuant to Chapter 7 (commencing with Section 14000) or Chapter 8 (commencing with Section 14200) of Part 3 of Division 9 of the Welfare and Institutions Code that is not regulated by the Department of Managed Health Care or the Department of Insurance.
5	Clinical laboratories , as that term is used in Section 1265 of the Business and Professions Code, and that are regulated by the Department of Public Health.
6	Acute psychiatric hospitals , as defined by HSC section 1250.

This includes organizations required to begin sharing data by January 31, 2024 and January 31, 2026.

Signing the DxF DSA: Additional Info

All mandatory signatories are legally required by AB-133 to execute the DSA by January 31, 2023.

Mandatory Signatories

- **Legally required to execute the DSA by 1/31/2023** and comply with its provisions and associated P&Ps.

Voluntary Signatories

- **County health, public health, social services, and other organizations are encouraged to execute the DSA** if they are able to comply with its provisions and associated P&Ps.
- May sign after 1/31/2023.

All Signatories

- **The DSA, published in July 2022, is a final State document and must be signed as drafted.**
- Should **continue to monitor development of P&Ps** through the coming months.

Policies and Procedures Published P&Ps

The first set of eight P&Ps were published in July 2022.

#	Topic	Description
1	Amendment of DSA	Sets forth process for amending the DSA.
2	Development of and Modifications to P&Ps	Sets forth process for developing new P&Ps and modifying existing P&Ps.
3	Breach Notification	Sets forth definition of Breach and the obligations of Participants in the event of a Breach, including breach notification timelines.
4	Permitted, Required, & Prohibited Purposes	Sets forth the purposes for which Participants shall, may, and may not exchange HSSI under the DSA.
5	Requirement to Exchange Health & Social Services Information (HSSI)	Sets forth requirements for Participants to exchange HSSI and includes the dates participants are deemed "technologically ready and able" and are required to exchange.
6	Privacy and Security Safeguards	Sets forth the privacy standards and security safeguards Participants must comply with in connection with the exchange of HSSI under the DSA.
7	Individual Access Services	Sets forth requirements for Participants to provide Individual Users or their Personal Representatives access to the Individual User's PHI or PII.
8	Data Elements to be Exchanged	Sets forth the data elements that Participants must make available or exchange, at a minimum.

Policies and Procedures

P&Ps Under Development

#	Topic	Status <i>(future dates are tentative)</i>	Description
1	Information Blocking	<ul style="list-style-type: none"> Draft reviewed by DSA P&P SC (10/25/2022 & 12/15/22) Draft reviewed by IAC (12/20/2022) Release for Public Comment (Mid-Jan, 2023) Finalized (Mid-March, 2023) 	Prohibits all Participants from undertaking any practice likely to interfere with access, exchange, or use of Health and Social Services Information (HSSI).
2	Real-Time Data Exchange	<ul style="list-style-type: none"> Draft reviewed by DSA P&P SC (12/15/22) Reviewed by IAC (12/20/2022) Release for Public Comment (Mid-Jan, 2023) Finalized (Mid-March, 2023) 	Sets forth definition of 'Real Time Data Exchange' and associated obligations of Participants.
3	Early Exchange	<ul style="list-style-type: none"> Draft reviewed by DSA P&P SC (12/15/22) Reviewed by IAC (12/20/2022) Released for Public Comment (Mid-Jan, 2023) Finalized (Mid-March, 2023) 	Sets forth requirements for participants using the DSA to engage in early exchange of HSSI (i.e., exchange prior to statutorily mandated date(s) by which many entities must begin exchanging data).
4	Technical Requirements for Exchange	<ul style="list-style-type: none"> Draft reviewed by DSA P&P SC (12/15/22) Draft reviewed by IAC (12/20/22) Released for Public Comment (Mid-Jan, 2023) Finalized (Mid-March, 2023) 	Sets forth data exchange patterns for the DxF and those that Participants must support, at a minimum, as well as the technical specifications Participants must adhere to for each of the Required Transaction Patterns.
5	Monitoring & Auditing	<ul style="list-style-type: none"> Draft reviewed by DSA P&P SC (10/25/2022) Draft reviewed by IAC (11/3/2022) Released for Public Comment TBD Finalized TBD 	<i>Scope of P&P under consideration by CDII and Advisors.</i>
6	Qualified HIO Program	<ul style="list-style-type: none"> Draft reviewed by DSA P&P SC (1/26/23) Draft reviewed by IAC (2/2/23) Released for Public Comment TBD Finalized TBD 	<i>Scope of P&P under consideration by CDII and Advisors.</i>

CDII is developing additional P&Ps with the counsel of the IAC, the DSA P&P Subcommittee, and the public. **Additional P&Ps will be developed/modified in accordance with the governance process.**

Data Sharing Agreement: Frequently Asked Questions

FAQ: DSA (1)

- **Are all mandatory signatories required to sign the DSA by January 31, 2023, including those identified in AB 133 who are not required to exchange data under AB 133 until January 31, 2026?**
 - Under AB 133, all mandatory signatories must sign the DSA by January 31, 2023.
 - Some of these organizations, such as smaller physician practices and clinics, rehabilitation, long-term acute care, psychiatric, and critical access hospitals, and smaller rural acute care hospitals, will have until January 31, 2026 to fully implement the Data Exchange Framework even though they signed the agreement in January 2023.
- **How can I stay apprised of and provide input on new P&Ps to ensure our organizations remain in compliance?**
 - To stay up to date, you can:
 1. Reference the [DxF Website](#) for the final and draft P&Ps, FAQs, and other information on the DxF
 2. Join CDII's mailing list by emailing cdii@chhs.ca.gov
 3. Join upcoming *Information is Power* webinars
 4. Participate in upcoming IAC or DSA P&P Subcommittee meetings

FAQ: DSA (2)

- **As a health care organization, how do the DSA and P&Ps' data sharing requirements generally relate to what I am presently required to exchange by federal and state law?**
 - Participants must follow all applicable state and federal law when sharing Health and Social Services Information (HSSI) through the DSA.
 - For example, if the HSSI is subject to the Health Insurance Portability and Accountability Act (HIPAA) and the Lanterman-Petris-Short Act (LPS), the Participant would need to meet an exception in both HIPAA and LPS in order to share the HSSI.
 - In addition, HSSI can generally be shared with a valid authorization for release of information from the patient/individual or a patient representative.
 - For more information on how to share some types of health information in California, please see CDII's [State Health Information Guidance \(SHIG\)](#) which is available on the CalHHS/CDII website.

FAQ: DSA (3)

- **Who can I reach out to get more information on what the DSA and P&Ps mean for my organization?**
 1. Please contact Educational Initiative Grantee Organizations for information on the DSA and P&Ps.
 2. Please submit any other questions about the DxF to: cdii@chhs.ca.gov
 3. Check with your legal counsel for specific questions about your organization and compliance, including whether your organization is required to sign the DSA.

Educational Initiative Grantees

Multi-Association Initiative: America's Physician Groups, California Academy of Family Physicians, Purchaser Business Group on Health-California Quality Collaborative, California Association of Health Care Facilities, California Association of Area Agencies on Aging, California Association of Health Information Exchanges

California Medical Association

California Primary Care Association

County Health Executives Association of California

California Association of Health Plans

California Council of Community Behavioral Health Agencies

American Academy of Pediatrics, California Chapter 1

LeadingAge California Foundation

Educational Grant Awardees & Signatory Groups

	Required Signatories Under AB-133						Other Signatory Groups			
	General Acute Care Hospitals	Physician Orgs & Medical Groups	Skilled Nursing Facilities	Insurers	Acute Psychiatric Hospitals	Clinical Labs	County Public Health & Social Services	CBOs Providing Social Services	Behavioral Health Providers	Health Information Orgs
Multi-Association Initiative (led by APG)			<i>Inclusive of AAA</i>							
California Medical Association										
California Primary Care Association										
The County Health Executives Association of California										
California Association of Health Plans										
Leading Age California Foundation										
American Academy of Pediatrics, California Chapter 1										
California Council of Community Behavioral Health Agencies										

FAQ: DSA (4)


- **How are signatories to the Data Sharing Agreement (DSA) supposed to share Data?**
 - The Data Exchange Framework allows Participants to provide access to or exchange information including through any health information exchange network, health information organization, or technology that adheres to the DSA and Policies and Procedures found on our web site at Data Sharing Agreement and Policies & Procedures.
 - The DxF is not intended to be an information technology system or single repository of data, rather it is a collection of organizations that are required to share health information using national standards and a common set of policies.

- **Who are signatories to the Data Sharing Agreement required to share data with?**
 - The Data Exchange Framework requires that every Participant provide access to or exchange health and social services information with every other Participant consistent with the Permitted, Required and Prohibited Purposes Policy and Procedure.
 - Note that Participants are not required to share health and social services information if sharing would violate federal or state law.
 - For information on required Participants, see the [FAQ on the CDII Website](#).
 - For technical requirements for data sharing, see the Data Elements to Be Exchanged P&P and the Technical Requirements for Exchange Policy and Procedure, currently in development.

How to Sign the DSA: A Demonstration

How to Sign the DSA (1 of 2)

Mandatory and voluntary signatories can execute the DSA in the DSA Signing Portal.



The screenshot shows the CalHHS Data Sharing Agreement Signing Portal. At the top left is the CalHHS logo. The page title is "CalHHS Data Sharing Agreement Signing Portal". The main content area contains the following text:

Welcome to the CalHHS Data Sharing Agreement Signing Portal!

Signing the Data Sharing Agreement is a critical next step toward full implementation of the Data Exchange Framework.

It's time to ensure every Californian, no matter where they live, can trust that their health and social services providers can securely access critical patient information to provide safe, effective, whole person care.

Data Sharing Agreement

[Register to Start](#)

DSA Signing Portal URL: <https://signdxf.powerappsportals.com/>

How to Sign the DSA (2 of 2)

Organizations wishing to sign the DSA will need to determine:



Who is authorized to sign the DSA within your organization.



What facilities or subordinate entities are required to sign the DSA; a signatory may sign on behalf of multiple facilities or subordinate entities, if authorized.



Information about the individual signing, their organization, their contact information, all subordinate entities, including their state license number (or EIN for physician organizations and medical groups), will need to be listed on the DSA prior to signing.

DSA Signing Portal: Frequently Asked Questions

Frequently Asked Questions

- **The CalHHS Data Sharing Agreement Signing Portal asks for California license numbers for some organization types. What is the license number being requested?**

Entity	License Number
General acute care hospitals, skilled nursing facilities, or acute psychiatric hospitals	<ul style="list-style-type: none"> • License number issued by the California Department of Public Health (CDPH).
Health care service plans or disability insurers, including Medi-Cal managed care plans	<ul style="list-style-type: none"> • License number issued by the Department of Managed Health Care (DMHC) or the California Department of Insurance (CDI), or the risk-bearing organization (RBO) number
Medi-Cal managed care plans that are not licensed by the DMHC or the CDI	<ul style="list-style-type: none"> • Contract number issued by the Department of Health Care Services (DHCS)
Clinical laboratories	<ul style="list-style-type: none"> • Laboratory license number issued by the California Department of Public Health (CDPH) • <u>Not</u> the federally-issued Clinical Laboratory Improvement Amendments (CLIA) number.

FAQ: Subordinate Organizations

- **The CalHHS Data Sharing Agreement Signing Portal asks me whether my organization has subordinate organizations. What is a subordinate organization?**
 - Subordinate organizations are entities or facilities that are licensed separately by the state of California but belong to a single parent company.
 - If you have identified an individual at your organization that is authorized to sign on behalf of more than one entity or facility, the authorized person to sign the DSA can list these organizations in the signing portal and on the DSA as “subordinate organizations.”
- **What do I do if subordinate organizations are part of the same physical facility (e.g., a licensed clinical lab within an acute care hospital)?**
 - If one person is authorized to sign on behalf of organizations, both could be listed as “subordinate organizations.”
 - For the example, if a general acute care hospital has a clinical laboratory in the same facility, the general acute care hospital and the clinical laboratory could both be listed as “subordinate organizations”.

FAQ: Adding Additional Subordinate Entities

- **My organization has already signed the DSA. How do I add additional subordinate entities or facilities to my signed DSA?**
 - Log onto the signing portal and **add the additional subordinate entities or facilities to those already listed**, if any, and save the new entries. Then press “**Send DSA**” to send a new copy of the DSA to the authorized signer. The new signature page will include the new subordinate organizations, along with the subordinate organizations listed previously. Sign and return the DSA.
 - The original signed DSA will be retained by the signing portal for your reference and by CDII.
 - Your organization and any previous subordinate entities that were listed will keep the original execution date for the DSA (the date that your organization and all previously listed subordinate entities and facilities signed the DSA).
 - The newly signed DSA establishes a new execution date for any newly listed subordinates that have signed.

FAQ: Removing Subordinate Entities

- **My organization has already signed the DSA. How do I remove a subordinate entity or facility for which my organization previously signed?**
 - You cannot remove a subordinate entity or facility using the signing portal once your organization has signed the DSA.
 - Instead, you need to send a written request to CDII at CDII@chhs.ca.gov listing your organization, the name(s) and license numbers or EINs of the subordinates that you would like removed, and the reason for removal. Someone at CDII will contact you to work on your request.

DSA Available Resources & Next Steps

- **Available Resources:**

- The DSA & P&Ps are available on the [DxF website](#).
- DSA Signing Portal URL: <https://signdxf.powerappsportals.com/>
- [FAQ](#) with additional information on the DSA and the Signing Portal.

- **Next Steps:**

- Stakeholders should keep updated on P&Ps in development and be on the lookout for opportunities for public comment.
- Stakeholders can submit questions about the DSA, P&Ps, and the Signing Portal to Educational Initiative Grantee Organizations and cdii@chhs.ca.gov.

Questions & Answers

Question & Answer



Wrap Up & Next Steps

Upcoming DxF Meetings & Mailing List

1. Join our next *Information is Power* webinar on January 19, 9:00 AM to 10:00 AM
2. Participate in IAC or DSA P&P SC meetings.
 - **IAC Meeting #3B**: January 10, 2023, 11:00 AM to 2:00 PM.
 - **DSA P&P SC Meeting #4**: January 26, 2023, 9:00 AM to 11:30 AM.
 - Meeting materials, participation information, and recordings will be posted on the [CalHHS DxF website](#).
3. Join mailing list by emailing cdii@chhs.ca.gov.
 - CDII welcomes suggestions for future webinar topics.

DxF Website Resources

For more information on the DxF, please visit our Website at:

www.chhs.ca.gov/data-exchange-framework/

There you can find:

- The DxF, DSA, and P&Ps.
- A recorded demonstration on how to sign the DSA.
- Materials from previous and upcoming meetings, webinars, and listening sessions.
- FAQs on the DxF Data Sharing Agreement and the DSA Signing Portal.