

CalHHS Data Exchange Framework Frequently Asked Questions (FAQ)

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Introduction

The CalHHS Health and Human Services Data Exchange Framework (DxF) comprises a single Data Sharing Agreement (DSA) and common set of Policies and Procedures (P&Ps) that will govern the exchange of health and social services information among health care entities and government agencies beginning January 31, 2024.

Finalized on July 1, 2022, the DxF was developed with input from a broad set of stakeholders, including a Stakeholder Advisory Group as required by [AB 133](#). The legislation mandates that a broad spectrum of health care organizations execute the Framework's DSA by January 31, 2023, and exchange or provide access to health information with other mandated organizations by January 31, 2024.

This FAQ provides up-to-date information about DxF implementation and may be updated from time to time. More information is available on the [CalHHS DxF website](#).

Please submit questions about the DxF to: cdii@chhs.ca.gov

Frequently Asked Questions

1. Who is required to sign the Data Exchange Framework (DxF) Data Sharing Agreement (DSA) on or before January 31, 2023?

Entities required to sign the DxF DSA are listed below, as defined in [Health and Safety Code section 130290\(f\)](#).

1. General Acute Care Hospitals, as defined by [Health and Safety Code Section 1250](#).
2. Physician Organizations (e.g., Independent Practice Associations that exchange health information) and Medical Groups.
3. Skilled Nursing Facilities, as defined in [Health and Safety Code Section 1250](#).
4. Health Plans

- a. Health Care Service Plans and Disability Insurers providing hospital, medical, or surgical coverage that are regulated by the California Department of Managed Healthcare or the California Department of Insurance.
 - b. Medi-Cal Managed Care Plans that have signed a comprehensive risk contract with the Department of Healthcare Services pursuant to the Medi-Cal Act¹ or the Waxman-Duffy Prepaid Health Plan Act², and that are not regulated by the California Department of Managed Healthcare or the California Department of Insurance.
5. Clinical Laboratories, as defined in [Business and Professions Code Section 1265](#) and that are licensed by the California Department of Public Health.
 6. Acute Psychiatric Hospitals, as defined in [Health and Safety Code Section 1250](#).
- 2. 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.

3. What are my obligations after I sign?

After signing, DxF DSA signatories will be required to exchange health and social services information or provide access to health information to and from every other signatory in real time as specified in the DSA and its Policies and Procedures (P&Ps).

Most entities required to sign the DSA will be required to begin exchanging health and social services information on or before January 31, 2024.

Some organizations will have until January 31, 2026 to begin exchanging this information. These organizations are as follows: physician practices of fewer than 25

¹ Cal. Welfare and Institutions Code sections 14000, et seq.

² Cal. Welfare and Institutions Code section 14200, et seq.

physicians, rehabilitation hospitals, long-term acute care hospitals, acute psychiatric hospitals, critical access hospitals, and 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.

CalHHS is working with stakeholders to develop processes to support signatories in meeting DxF DSA requirements, including by establishing a program to qualify eligible health information organizations (HIOs) to facilitate data exchange between signatories. More information on the program will be available soon.

4. Once I sign the DSA, what laws do I have to follow in order to share information with another Participant?

Participants must follow all applicable state and federal law when sharing Health and Social Services Information through the DSA. For example, if the information is covered by 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 information. In addition, health information can generally be shared with a valid authorization for release of information from the patient/individual.

For more information on how to share some types of health information in California, please see CDII's [State Health Information Guidance \(SHIG\)](#).

5. 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.

6. 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 [link to question on required signatories]. 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.

7. What should one do prior to signing the Data Sharing Agreement?

1. Review the Data Sharing Agreement (DSA) and its policies and procedures [available on the CDII website](#) so you are aware of your organization's obligations once you sign the DSA. The DSA and its policies and procedures are final drafts that were developed alongside a wide variety of stakeholders and were previously available for public comment. Neither the DSA nor the policies and procedures are open for negotiation.
2. Determine who at your organization is authorized to sign the DSA on behalf of the organization.
3. Determine if there are subordinate entities or facilities for which the authorized person would like to sign.

[What is a subordinate organization?](#)

4. Gather necessary information in order to register in the CalHHS Data Sharing Agreement Signing Portal and request a copy of the DSA to be signed.

[What information will I need to register for the CalHHS Data Sharing Agreement Signing Portal?](#)

8. What information should I collect before registering in the CalHHS Data Sharing Agreement Signing Portal?

For your organization, you will need:

- legal name of the organization
- mailing address

For the person signing the DSA, you will need:

- name
- title within the organization
- phone number
- email address

If your organization does not have subordinate entities or facilities, in addition to other information for your organization you will need:

- type of organization, one of:
 - general acute care hospital
 - physician organization or medical group
 - health care service plan or disability insurer, including risk-based organizations, Medi-Cal managed care plan services, and other health care service plans or disability insurers
 - skilled nursing facility
 - clinical laboratory
 - acute psychiatric hospital
 - other, voluntary signatory

[How do I know if what type of organization I am?](#)

- California license number for general acute care hospitals, health care service plans or disability insurers, skilled nursing facilities, clinical laboratories, or acute psychiatric hospitals.

[How do I know which license number to use?](#)

- Employer Identification Number (EIN) for physician organizations, medical groups, or other, voluntary signatories.

If you don't have an EIN, you can [apply for an EIN online](#).

If your organization has subordinate entities or facilities for which the individual would like to sign, you will need the following for each subordinate organization:

- legal name
- mailing address
- type of subordinate entity or facility, as described above in the information you will need for your organization
- California license number or EIN, as described above in the information you will need for your organization

[What is a subordinate organization?](#)

If your organization or one of your subordinate entities or facilities has multiple license numbers for multiple organization types (e.g., a licensed general acute care hospital with a licensed clinical laboratory), they should be listed separately as separate subordinate entities using the appropriate legal name, organization type, and license number or EIN.

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

For general acute care hospitals, skilled nursing facilities, or psychiatric hospitals, use the license number issued by the California Department of Public Health (CDPH).

For health care service plans or disability insurers, including Medi-Cal managed care plans, use the 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.

For Medi-Cal managed care plans that are not licensed by the DMHC or the CDI, use the contract number issued by the Department of Health Care Services (DHCS).

For clinical laboratories, use the laboratory license number issued by the California Department of Public Health (CDPH). Do not the federally-issued Clinical Laboratory Improvement Amendments (CLIA) number.

10. The CalHHS Data Sharing Agreement Signing Portal asks me whether my organization has subordinate organizations. What is a subordinate organization?

Your health system, health plan, laboratory system, etc., may have multiple 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”. This will allow the authorized person to sign one DSA on behalf of a number of organizations within one organization.

Subordinate organizations may be part of the same physical facility. For example, a general acute care hospital may have a licensed clinical laboratory within the hospital. In this case, if one person is authorized to sign on behalf of both the general acute care hospital and the clinical laboratory, the general acute care hospital and the clinical laboratory could both be listed as “subordinate organizations.”

11. 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.

12. 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.

For more information on who must sign the DSA, see [Who is required to sign the Data Exchange Framework \(DxF\) Data Sharing Agreement \(DSA\) on or before January 31, 2023?](#)

13. Our vendor or organization is connected to a nationwide network. Will that help us meet the requirement to implement the Data Sharing Agreement (DSA)?

The Data Exchange Framework allows Participants to provide access to or exchange information 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. It is the responsibility of each Participant to ensure they meet requirements of the DSA and its Policies and Procedures. Several nationwide networks and frameworks may satisfy some or all of the requirements for of the DSA and Policies and Procedures.

14. If the Data Exchange Framework is to be technology-agnostic, why does the Technical Requirements for Exchange identify and require specific technical standards for exchange?

California law directs the DxF to "enable and require real-time access to, or exchange of, health information among health care providers and payers through

any health information exchange network, health information organization, or technology that adheres to specified standards and policies." Technical standards in this Policy and Procedure are examples of specified standards that some Participants are required to use through the health information network, HIE, or technology they choose.

15. The Technical Requirements for Exchange Policy and Procedure does not identify certificate policies, system or individual authentication and identity requirements, or other security-related requirements. How will the DxF identify the technical requirements for security during exchange?

The Nationwide Networks and Frameworks noted in the Policy and Procedure all have established and documented security models that include bilateral authentication of individuals and/or systems as appropriate. The California Trusted Exchange Network (CTEN) that currently supports inter-HIO communications does as well. The DxF and this Policies and Procedures will leverage these existing capabilities.

16. The DSA requires entities to meet the obligations set forth in the P&Ps, but how can I be sure that our organization can fulfill our obligations under the DSA if the P&Ps aren't finalized yet?

Many health care entities are required by law to sign the Data Sharing Agreement (DSA) by January 31, 2023, with most to begin exchanging data in accordance with the DSA's policies and procedures (P&Ps) by January 31, 2024. Signing the DSA is the first step in a yearlong process to fully implement the DxF by January 31, 2024 for most entities. Some entities, including physician practices with fewer than 25 physicians, acute psychiatric hospitals, and rural general acute care hospitals, will have until January 31, 2026 to fully implement the DxF. In 2024, entities that have signed the DSA can comply with the P&Ps either by joining and utilizing an intermediary, such as a Qualified Health Information Organization (QHIO), or by independently meeting the requirements of the P&Ps. To assist in this process, entities that sign the DSA may be eligible to receive grant funding to help them connect to a QHIO through the QHIO Onboarding Grant or to otherwise help them identify and implement solutions to meet the DxF requirements with the Technical Assistance Grant.

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 take into account the needs of all health and human services providers, the individuals they serve, as well as consumers. The P&Ps that have already been finalized and adopted are available [here](#). Additional P&Ps are being released on an ongoing basis for public comment and have been reviewed and discussed in public

[DSA P&P Subcommittee meetings](#). Also, CalHHS and CDII are holding [public webinars, town halls](#), and [Implementation Advisory Committee \(IAC\)](#) meetings in order to provide updates, answer questions, and garner feedback regarding DxF implementation. Most P&Ps will become effective January 31, 2024.

We urge stakeholders, organizations, advocates, and consumers to join these public meetings to ask questions and offer feedback. This is an open, transparent process to inform providers of their obligations under the DSA. CalHHS and CDII are working to ensure a smooth transition and adoption of the DxF, and we encourage you to reach out to any of our Educational Initiative Grantees for additional and industry-specific assistance meeting your obligation to sign the Data Sharing Agreement:

Educational Initiatives Grantees	Contact	Signatory Type
Multi-Association Initiative led by America’s Physician Groups (APG)	DxFeducation@connectingforbetterhealth.com	Physicians (Group Practices/Family Physicians/etc.), Aging Providers, Skilled Nursing Facilities (includes nursing homes and ICFs), Health Information Exchanges
California Medical Association	DxFQuestions@cmadocs.org	Physician Organizations, Medical Groups
California Primary Care Association	grants@cpca.org	FQHCs
The County Health Executives Association of California	Admin@cheac.org	Local health departments
California Association of Health Plans	info@calhealthplans.org	44 health insurance plans licensed/regulated by DHCS, DMHC, and/or CDI
Leading Age California Foundation	Meredith Chillemi: mchillemi@leadingageca.org	Skilled Nursing Facilities, Health Plans, Community-Based Organizations
American Academy of Pediatrics,	projectcoordinator@aapca1.org	General acute care hospitals, Physician organizations and medical groups, Acute

Educational Initiatives Grantees	Contact	Signatory Type
California Chapter 1		psychiatric hospitals, Community-based organizations providing social services, Behavioral health providers, County health, social services, and public health, Other health care entities
California Council of Community Behavioral Health Agencies	response@cccbha.org	Community-Based Organizations Behavioral Health Providers

You can also reach out to CDII directly at cdii@chhs.ca.gov.

17. Are registered laboratories required to sign the Data Sharing Agreement?

Yes. Both registered laboratories and licensed laboratories that are regulated by the California Department of Public Health are clinical laboratories required to sign the Data Sharing Agreement by January 31, 2023.

18. [NEW] What skilled nursing facilities are required to sign the DSA?

Skilled nursing facilities that maintain electronic records or “electronic health information” as defined under federal regulation in Section 171.102 of Title 45 of the Code of Federal Regulations.

19. [NEW] Are solo practices (medical practice by a single physician) considered “physician organizations and medical groups” that are required to sign the DSA?

Yes. Solo practices are required to sign the DSA but are not required to implement the DSA until January 31, 2026. Any physician organization or medical group with one or more physicians is required to sign the DSA.

20. [NEW] If my organization is a Covered Entity under HIPAA, how can I share protected health information with a non-Covered Entity participant, like a social service organization, under the DSA?

The DSA does not require your organization to share protected health information with non-covered Entities, such as a social services organization. The DSA permits sharing between a Covered Entity and non-Covered Entity when you have a valid authorization from the patient or patient’s representative or the disclosure is otherwise permitted or required by applicable law. (See DSA, Section 6(a); Privacy and Security Safeguards P&P). For more information on how Covered Entities can share protected health information with non-Covered Entities, please see the [State Health Information Guidance \(SHIG\)](#), particularly [SHIG Vol. 1.1: Sharing Behavioral Health Information in California](#), especially Scenario 4, and the scenarios in [SHIG Vol. 2.0: Sharing Health Information to Address Food and Nutrition Insecurity in California](#).