

Connecting for Better Health Meeting

January 11, 2024

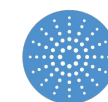


Connecting for Better Health

Advancing data sharing to improve the health of all Californians

Agenda

No.	Item	Minutes
1	Welcome and Introductions	5 minutes
2	Opening Remarks <ul style="list-style-type: none">DeeAnne McCallin, Deputy Director, Data Exchange Framework, CHHS Center for Data Insights and Innovation (CDII)	5 minutes
3	DxF Implementation Toolkit from the Multi-Association DxF Education Initiative	5 minutes
4	State Updates	10 minutes
5	Guest Presentation – Health Care Provider Information Blocking Disincentives Proposed Rule <ul style="list-style-type: none">Alan Katz, Associate Director of Advocacy and Public Policy, Civitas Networks for Health	15 minutes
6	Federal Updates	10 minutes
7	News, Events and Announcements	10 minutes



About The Coalition

Our Vision: Every Californian and their care teams have the information and insights they need to make care seamless, high quality and affordable.



Policy Priorities

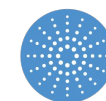
- **DSA Education & Implementation:** Promote awareness of the DSA and support data exchange implementation to realize the promise of AB 133
- **Funding:** Advocate for the state to dedicate continued funding for health and social services data sharing and encourage state agencies to seek federal match when and where appropriate
- **Integration of social services data:** Develop and communicate case studies and policy recommendations that support cross-sector data sharing, consent, and authorization
- **Advance DxF Governance, Enforcement, and Accountability:** Work towards the passage of DxF legislation, monitor state legislation and budgetary actions related to data sharing, and provide critical feedback to CDII and other state agencies to resolve challenges



Opening Remarks

DeeAnne McCallin

Deputy Director, Data Exchange Framework
CHHS Center for Data Insights and Innovation



Register to Join C4BH's 2024 Coalition Meetings – New Zoom Link

Please [register here](#) to join our future C4BH coalition meetings!

Q1 2024 Meeting Schedule:

January

1/11 and 1/25

February

2/8 and 2/22

March

3/14 and 3/28

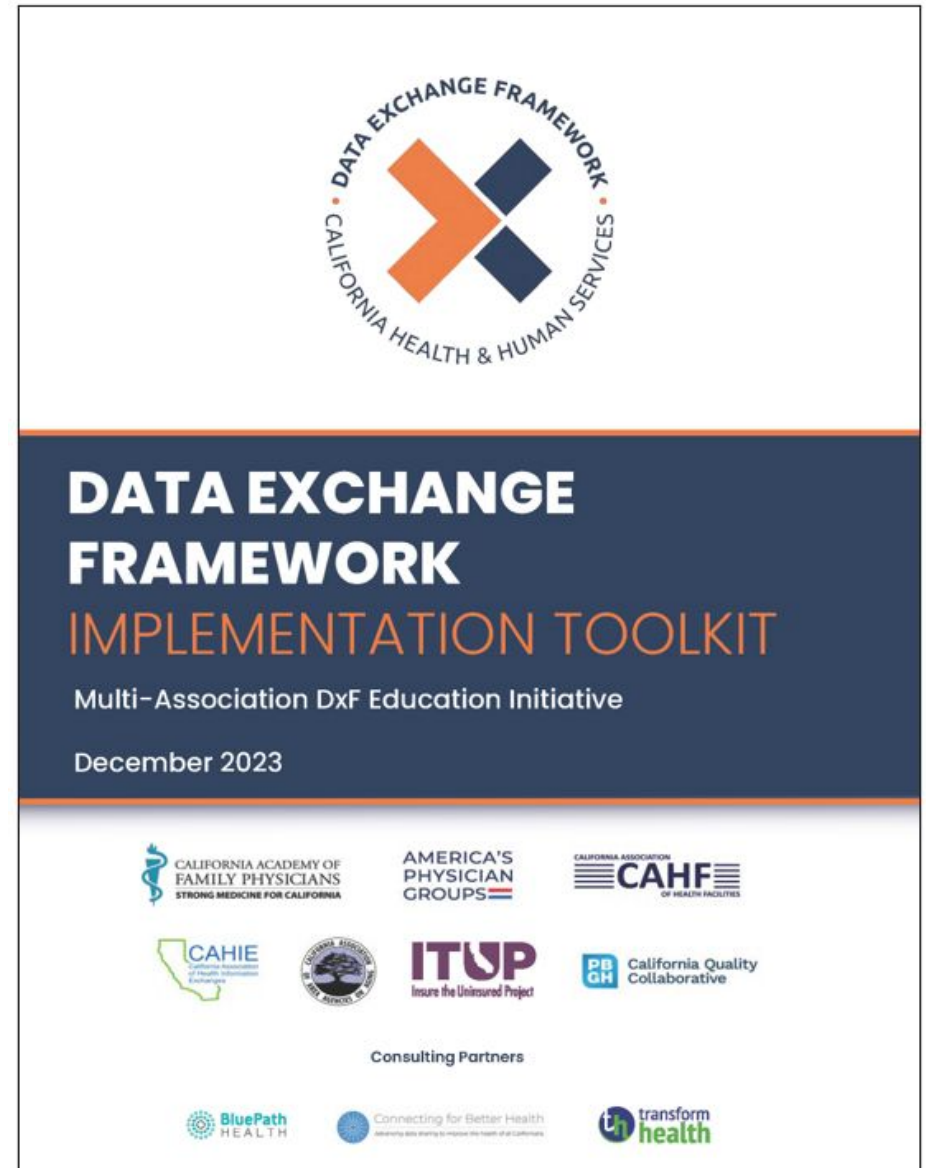
olivia@connectingforbetterhealth.com is available if you have any questions



Data Exchange Framework Implementation Toolkit

Multi-Association DxF Education Initiative

[Access the toolkit here!](#)



DxF Implementation Toolkit

Table of Contents

How to Use This Toolkit	1
Overview	2
Step 1: Understand the Data Exchange Framework (DxF)	4
Step 2: Check if You're a Required Signatory	6
Step 3: Talk to Leadership	8
Step 4: Sign the Data Sharing Agreement (DSA)	9
Step 5: Plan for Implementation	11
Step 6: Apply for Funding Opportunities	23
Step 7: Make Internal Changes Needed for Data Exchange	26
Step 8: Exchange Data in 2024	28

Step 5: Plan for Implementation



Activity:

Figure out what changes are needed internally for your organization to meet DSA requirements and exchange data, including changes to policies & procedures, technology, and workflows. We'll break these down into three parts below.

Actions to Take:



Part I: Plan for Organizational Policies & Procedure Changes. Analyze your current data sharing policies and procedures (P&Ps), as well as data use agreements, for any needed updates to ensure they align with the DSA.

Many payors require providers to have policies & procedures in place that govern breach protocols, permitted, required and prohibited uses of the data, and privacy and security. If you're a HIPAA Covered Entity or Business Associate, you should have P&Ps on these topics already established.

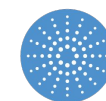
□ In particular, you'll want to review the following DxF P&Ps against your organization's internal P&Ps to ensure alignment:

- **Permitted, Required and Prohibited Purposes** – sets forth the purposes for which Participants may, or are required to, exchange health and social services information (HSSI) and certain restrictions on the use of HSSI obtained through the DxF.
- **Breach Notification** – describes the procedure that Participants must follow in the event of a breach of information.
- **Privacy and Security Safeguards** – requires Participants to use appropriate safeguards to protect the privacy of protected health information (PHI) or personally identifiable information (PII).
- **California Information Blocking Prohibitions** – aligns the DxF with applicable law that facilitates the timely access, exchange, and use of HSSI.

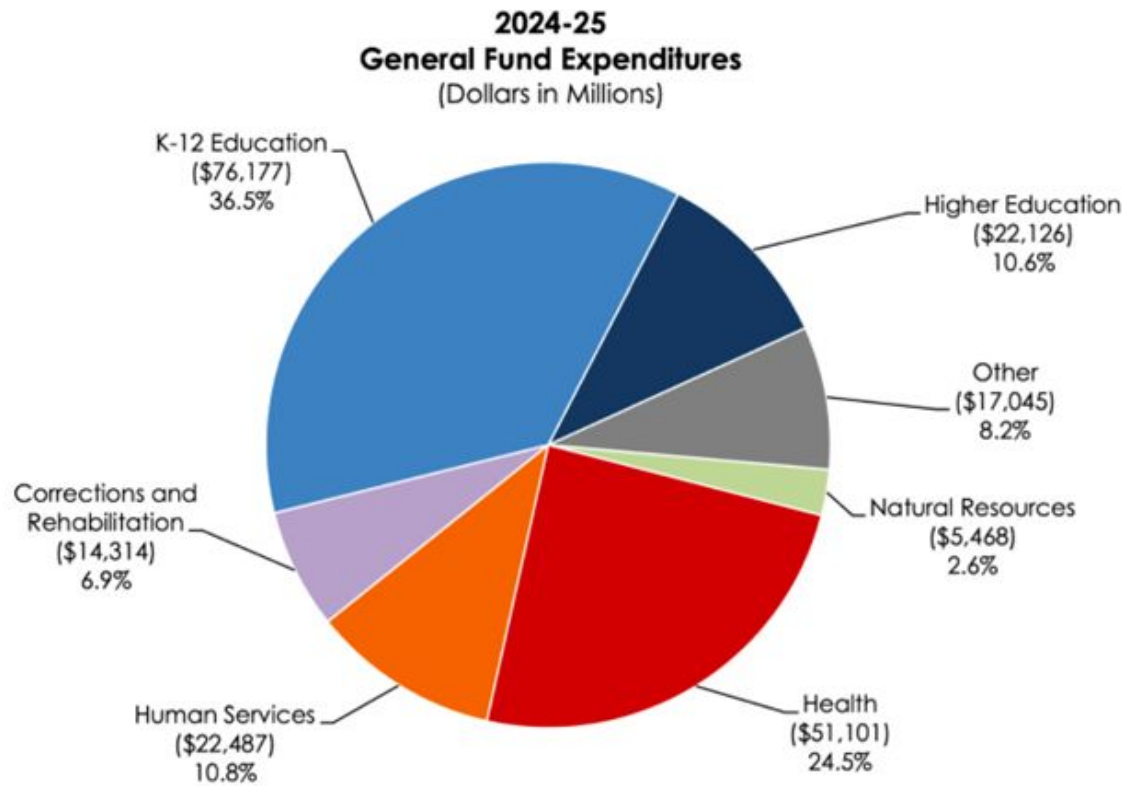
See the Appendix on DxF Policies & Procedures for information about each of these P&Ps.



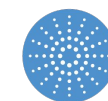
State Updates



Governor's Proposed Budget Highlights



- Governor's [proposed budget for FY 2024-25](#) released Jan 10
- Fast Facts:
 - \$291 billion total budget
 - Estimated \$38 billion shortfall
 - Withdraws \$13 billion from reserves
- No Data Exchange Framework updates
- Maintains Medi-Cal and CalAIM funding
- Some updates to broadband grant funding



California Draft State Digital Equity Plan

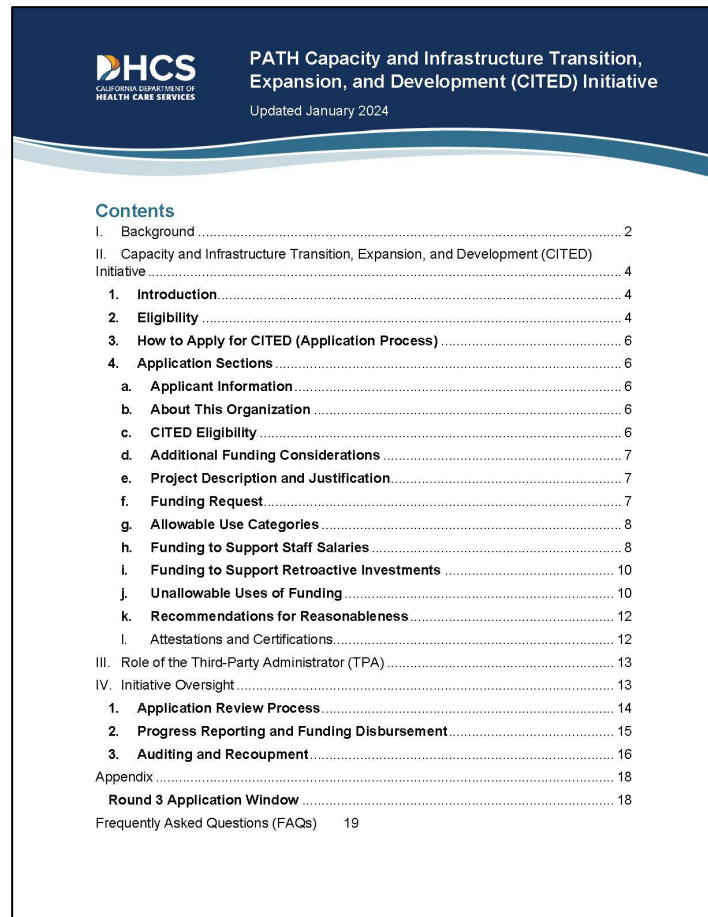
- The California State Digital Equity Plan (SDEP) draft released for public comment on Dec 15
- The SDEP outlines California's implementation plan for Digital Equity Capacity Grant dollars, funded by the federal Infrastructure Investment and Jobs Act of 2021
- Key activities included establishing local equity grants, improving maps and data, and support for digital navigation
- [Public comment form](#) available on CDT website; closes Jan 25



CaAIM PATH CITED Round 3 Opens on Jan 15

*Updated **Round 3 Guidance** is Available*

Deadline to apply is Feb 15



DHCS
CALIFORNIA DEPARTMENT OF
HEALTH CARE SERVICES

PATH Capacity and Infrastructure Transition,
Expansion, and Development (CITED) Initiative
Updated January 2024

Contents

I. Background	2
II. Capacity and Infrastructure Transition, Expansion, and Development (CITED) Initiative	4
1. Introduction	4
2. Eligibility	4
3. How to Apply for CITED (Application Process)	6
4. Application Sections	6
a. Applicant Information	6
b. About This Organization	6
c. CITED Eligibility	6
d. Additional Funding Considerations	7
e. Project Description and Justification	7
f. Funding Request	7
g. Allowable Use Categories	8
h. Funding to Support Staff Salaries	8
i. Funding to Support Retroactive Investments	10
j. Unallowable Uses of Funding	10
k. Recommendations for Reasonableness	12
l. Attestations and Certifications	12
III. Role of the Third-Party Administrator (TPA)	13
IV. Initiative Oversight	13
1. Application Review Process	14
2. Progress Reporting and Funding Disbursement	15
3. Auditing and Recoupment	16
Appendix	18
Round 3 Application Window	18
Frequently Asked Questions (FAQs)	19

- [Application Preview](#) is available
- CITED Round 3 Priorities:
 - ECM/Community Supports in rural counties
 - ECM providers for children/youth POFs
 - Tribal partners and providers
 - Statewide Community Supports needs specific services (i.e., Asthma Remediation, Day Habilitation programs, nursing facility transitions, short-term post hospitalization housing, and recuperative care)
 - County-specific ECM gaps by POF
 - County-specific Community Supports gap by service



DxF Updates: DSA Signatory Grants

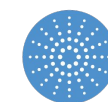
Due to high volume, CDII anticipates Round 3 decisions may take until Feb 2024

	Round 1	Round 2	Round 3 As of 12/19	TOTAL REQUESTED
 <p>QHIO Onboarding Grant</p>	10 Signatories awarded \$635,000.	46 Signatories awarded \$2,795,000.	182 Signatories applied for \$11,392,000.	238 Signatories applied for \$14,822,000.
 <p>TA Grant</p>	15 Signatories awarded \$812,500.	75 Signatories awarded \$4,293,890.	257 Signatories applied for \$12,199,325.	347 Signatories applied for \$17,305,715.
<p>TOTAL REQUESTED PER ROUND</p>	25 Signatories awarded \$1,447,500	121 Signatories awarded \$7,088,890	439 Signatories applied for \$23,591,325	585 Signatories applied for \$32,127,715



DxF Updates: Policies and Procedures

P&P Topic	Status
Early Exchange	New, Finalized (Nov 15)
Privacy Standards and Security Safeguards	Amendment, Finalized (Nov 15)
Requirement to Exchange HSSI	Amendment, Finalized (Nov 15)
Breach Notification	Administrative Changes, Finalized (Dec 11)
Data Elements to Be Exchanged	Amendment, Finalized (Dec 19)
Individual Access Services	Undergoing Administrative Changes
California Information Blocking Prohibitions	Undergoing Administrative Changes
Permitted, Required, and Prohibited Purposes	Undergoing Administrative Changes
Participant Directory	New, Undergoing Development (Post-Public Comment)
Fees	New, Undergoing Development (Post-Public Comment)



DxF Updates: QHIO Program

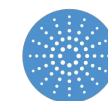
Several QHIO Program documents are under development

For DxF Participants

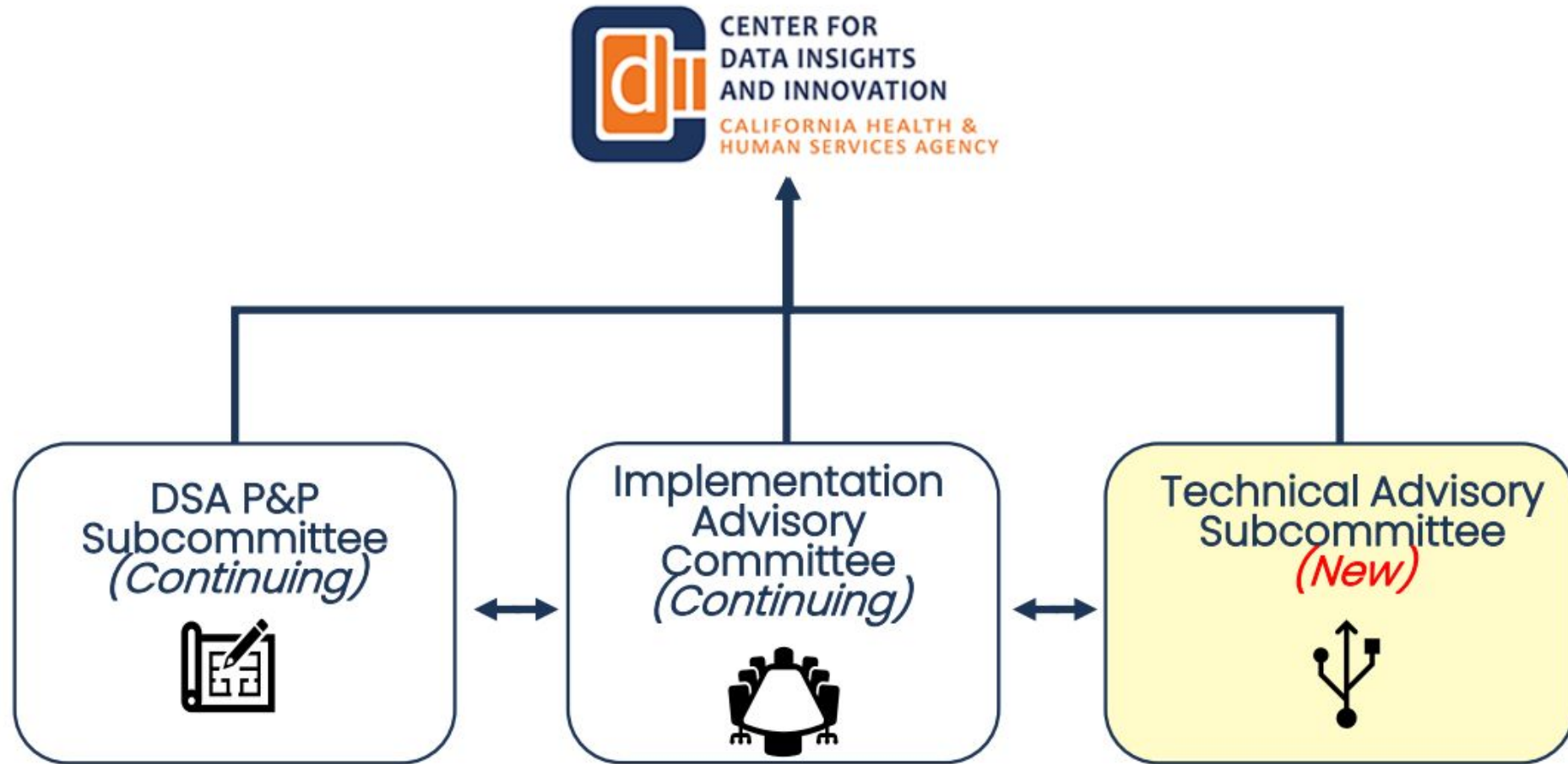
- **QHIO Program Overview:** a guide to the QHIO Program for all Participants
- **QHIO Program Guidance for Participants:** an overview of the steps an organization might take if it would like to work with a QHIO
- **FAQs about QHIOs:** address Participants' most frequently asked questions

For QHIOs

- **QHIO Program Handbook** (*formerly referred to as the "QHIO Program Guide"*): compilation of QHIO program requirements.



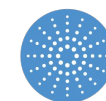
DxF Updates: Advisory Committees in 2024



Guest Presentation – Health Care Provider Information Blocking Disincentives Proposed Rule

Alan Katz

Associate Director of Advocacy and Public Policy
Civitas Networks for Health





HHS Provider Information Blocking Disincentives **Proposed Rule**

January 11, 2024



Previous Rules



- **ONC Cures Act Final Rule (2020)** – overall framework implementing section 4004 of the 2016 21st Century Cures Act, including key working definitions of “information blocking” and eight exceptions: preventing harm, privacy, security, infeasibility, Health IT performance, content & manner, fees, and licensing
- **HHS-OIG Civil Monetary Penalties (CMP) Final Rule (2023)**
–information blocking penalties (up to \$1 million) and enforcement procedures for HIEs, certified HIT developers, and health information networks (HINs)

Proposed Rule Summary



- Set of three penalties (“disincentives”) using CMS authority that will be imposed on different healthcare providers if HHS-OIG determines they have committed information blocking:
 - Acute Care Hospitals & CAHs will be ruled “not meaningful EHR users” under the Medicare Promoting Interoperability Program
 - Providers (Drs, PAs, NPs, CRNAs, PTs, etc.) will be ruled “not meaningful EHR users” under Medicare MIPS
 - ACO providers, participant providers, and provider-suppliers will be barred from Medicare SSP under amended program requirements that include information blocking rules

Civitas Public Comments



- *“Civitas’ principal comment on the Proposed Rule is that it is not sufficient to address the gravity of the issue, given the pervasiveness of information blocking and the imperative to address it as comprehensively as possible if ONC’s vision of wide-reaching patient interoperability and access is to be realized”*
- According to the ONC-sponsored 2023 HIO National Survey:
 - 30% of HIEs have routinely or sometimes experienced blocking, which resulted in HIEs missing information or having difficulty providing services 45% of the time
 - 45% of HIEs report that health care providers are engaged in information blocking through “strategic affiliations” with other health systems
 - 25% of HIEs report that providers block via “artificial” technical or process barriers
 - 40% of HIEs report that they have experienced outright refusals to share information

Civitas Public Comments



- The Proposed Rule's limitations on the number and frequency of disincentives are a problem. For hospitals, CAHs, and providers, only one penalty can be applied per EHR or MIPS reporting period per calendar year, regardless of the number of information blocking violations committed during that period
- The Proposed Rule does not cover health care providers outside Medicare's Promoting Interoperability, MIPS, and SSP programs. The Cures Act Final Rule definition of providers also includes FQHCS/CHCs, SNFs, LTCs, pharmacies, and clinical labs
- In the 2023 HIO National Survey, HIEs report that pharmacies and labs are responsible for the largest share of provider information blocking outside hospitals and physician groups

Civitas Public Comments

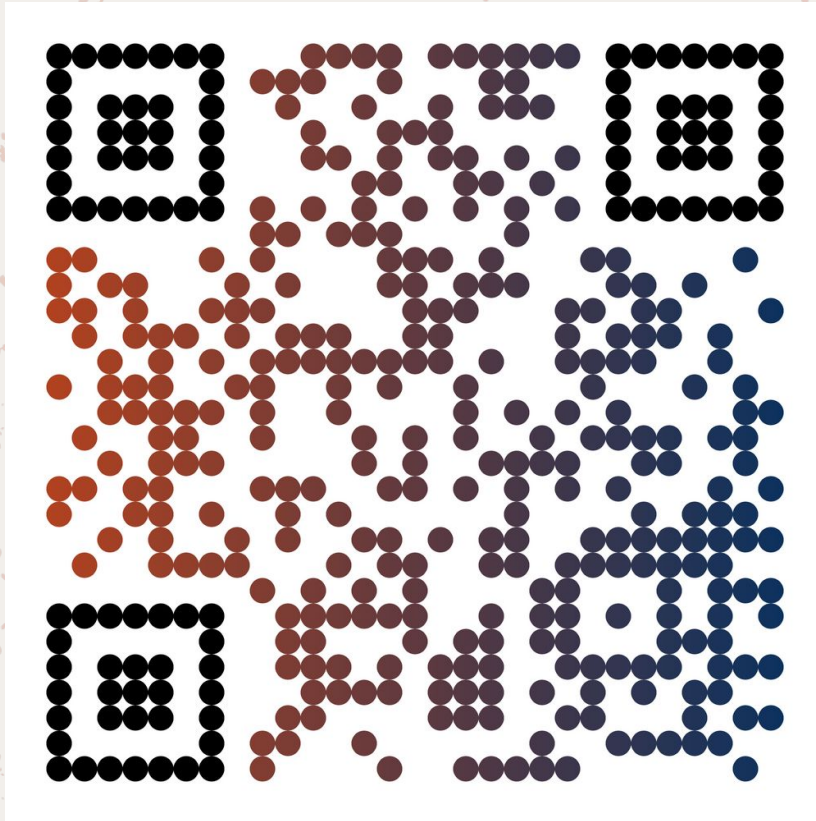


- Civitas recommends that HHS use a wider range of existing Medicare authorities to target pharmacies and clinical labs that are determined to have committed information blocking. Two suggestions:
 - CMS has broad authority to set Medicare Part C contract terms, and should use that authority to modify its recent “preclusion list” system for revoking participation in the program (stopping Medicare Advantage sponsors of Part C plans from paying pharmacists) to include information blocking violations
 - CMS has broader authority to pause or revoke entirely any entity’s participation in Parts B, C, or D for specific “reasons of revocation” that include fraud, false communications, nonpayment of debts, and civil judgements. These reasons are amended regularly through rulemaking (most recently last year). There is no reason they cannot be amended to include information blocking

Thank You!



SCAN



Federal Updates



Updated 2023-28 HHS Data Strategy

Data Priorities:



Cultivate Data Talent



Foster Data Sharing



Integrate Administrative Data into Program Operations



Enable Whole-Person Care Delivery by Connecting Human Services Data



Responsibly Leverage Artificial Intelligence



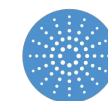
TEFCA Becomes Operational With QHIN Designations

TEFCA, or the *Trusted Exchange Framework Common Agreement*, has 3 core components:

1. Common Agreement
2. Trusted Exchange Framework
3. Qualified Health Information Network (QHIN) Technical Framework

On Dec 12, 2023, TEFCA became operational by **designating five initial QHINs** to go live with IHE document exchange:

- eHealth Exchange
- Epic Nexus
- Health Gorilla
- KONZA
- MedAllies



HTI-1 Final Rule – Published Dec 13, 2023

ONC published and is [currently hosting information sessions](#) for the *Health Data, Technology, and Interoperability: Certification Program Updates, Algorithm Transparency and Information Sharing Final Rule*, referred to as **HTI-1**

- It implements key provisions of the **21st Century Cures Act**, with a specific emphasis on health IT certification and information blocking

Key Impacts:

- **Algorithm transparency** requirements for AI and predictive analytics that are part of ONC-certified health IT
- **Adopts USCDI V3** as the baseline standard for ONC-certified health IT by 2026
- **Establishes TEFCA Manner Exception** to encourage participation in the national framework
- **Updates Manner Exception** by removing content condition
- **Interoperability-focused reporting metrics** for most developers of ONC-certified health IT



News, Events, And Announcements



Announcement: Register for the Final Webinar in the Advancing Consent Management in California Series

Advancing Consent Management in California:
Technology and Standards that Enable Consent

Wednesday, January 17 | 10:30 - 11:30AM PT



Mark Savage, JD
Managing Director, Digital Health Strategy & Policy
Savage & Savage, LLC.



Stephen Konya
Senior Advisor
Office of the National Coordinator for Health IT



Mohammad Jafari, Ph.D
Independent Subject Matter Expert



Kathryn Miller
Chief Operating Officer
Bronx Regional Health Information Organization



MODERATOR Daniel Stein
President
Stewards of Change Institute



Stewards of Change INSTITUTE



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*We are closing out the discussion by examining developing technologies and how **HL7** and **FHIR** data standards can be used to achieve **granular consent***

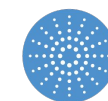
[Register here](#)

Announcement: Save the Date for C4BH “Day at the Capitol”



Thursday, March 7

*More information to come about
event details and how to
participate!*



What We're Reading – Check Out C4BH's Newsletter!

- **Opportunities to Address HRSN with Technology Solutions**
A new report examines how state Medicaid agencies should consider tech-enabled solutions to address health-related social needs (HRSN). By holding MCOs accountable and reimbursing social services, technology infrastructure can be leveraged to support care coordination and the delivery of HRSN supports. [Read More](#)
- **CMS Recommendation to Support State HRSN Investments**
CMS is well-positioned to support states with technical assistance as they implement HRSN initiatives. Lessons are available from the CMS Innovation Center's accountable health communities model to help scale and expand HRSN interventions. [Read More](#)
- **Early Insights into 2023 National HIO Survey Results**
Comprehensive results from the 2023 National HIO Survey will be published in 2024, but early insights provide a valuable look into current status and progress. [Read More](#)



Upcoming Events

- **Jan 12, 9-10AM PT:** DHCS PATH CITED Round 3 Information Session | [Register here](#)
- **Jan 17, 10-11AM PT:** ONC HTI-1 Final Rule Decision Support Interventions Information Session | [Register here](#)
- **Jan 24, 9-11:30AM PT:** CHHS CDII DxF Joint IAC and P&P Meeting | [Register here](#)
- **Jan 25, 10-11AM PT:** ONC HTI-1 Final Rule Information Blocking Information Session | [Register here](#)
- **Feb 5-6:** ITUP Annual Conference | Sacramento, CA | [Register here](#)
- **April 16:** Northern California State of Reform Health Policy Conference | Sacramento, CA | [Register here](#)
- **April 26:** Riverside County Medical Association AI First Annual Healthcare Conference | Rancho Cucamonga, CA | [Register here](#)

