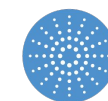


Connecting for Better Health Meeting

February 22, 2024

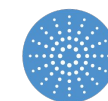


Connecting for Better Health

Advancing data sharing to improve the health of all Californians

Agenda

No.	Item	Minutes
1	Welcome and Introductions	5 minutes
2	Guest Speaker <ul style="list-style-type: none">• Dr. Micky Tripathi, National Coordinator for Health Information Technology, U.S. Department of Health and Human Services	30 minutes
3	March 7th C4BH Day at the Capitol – Join Us!	10 minutes
4	Federal Updates <ul style="list-style-type: none">• HHS 42 CFR Part 2 Final Rule	5 minutes
5	State Updates <ul style="list-style-type: none">• California State Legislation Tracking	5 minutes
6	News, Events and Announcements	5 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

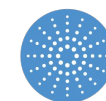
- **DSA Education & Implementation:** Promote awareness of the DSA and support data exchange implementation to realize the promise of AB 133
- **Funding:** Advocate for the state to dedicate continued funding for health and social services data sharing and encourage state agencies to seek federal match 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



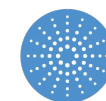
Guest Speaker

Dr. Micky Tripathi

National Coordinator for Health Information Technology
U.S. Department of Health and Human Services



March 7th C4BH Capitol Day



Reminder: RSVP Today for March 7th!



Objectives for the C4BH Day at the Capitol:

- Educate about the DxF and its potential to advance equity and whole-person care
- Highlight the state's substantial investments to date in the DxF and related health transformation initiatives
- Build momentum and support for DxF-related policy including the need for continued governance, guidance and accountability

[Click Here To RSVP!](#)



DxF Briefing Agenda

State Capitol Room 126, 12:00-1:00pm

Item	Speaker
Opening Remarks	Dr. Jim Wood
Welcome and Introduction	Jackie Ejuwa, Blue Shield of California
Data Exchange Framework Overview Goals for the Day	Timi Leslie, Connecting for Better Health
The Data Exchange Framework in National Context	Lisa Bari, Civitas Networks for Health
The Importance of a Strong Data Exchange Framework: Stories and Perspectives	<ul style="list-style-type: none">● <i>Bill York, San Diego 211</i>● <i>Anwar Zoueihid, Partners in Care Foundation</i>● <i>Dr. Hakeem Adeniyi, Sacramento Native American Health Center</i>● <i>Michelle Kuppich, California Food is Medicine Coalition</i>
Policy Recommendations and Next Steps	Timi Leslie, Connecting for Better Health
Q&A	All

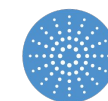


Connecting for Better Health

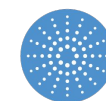
Advancing data sharing to improve the health of all Californians

Afternoon Legislative Visits

- 20+ legislative visits scheduled for afternoon of March 7
- Groups of 3-4 coalition members with a leader; participant packet will be distributed ahead of time with talking points, schedule, map, and leave-behind materials
- Sample visit flow:
 - 5 minutes: Group introductions, intro to the DxF and C4BH
 - 5 minutes: AB 1331 (Wood) and the importance of DxF governance, enforcement, and accountability
 - 5 minutes: Connection to CA priorities (CalAIM, affordability, pandemic response, etc) and sharing *your* story
- **Confirmed participants will receive important email updates including optional Zoom office hours to prepare the week of the event**

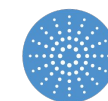


Federal Updates



New HHS Final Rule Modifies 42 CFR Part 2 (1/2)

- 42 CFR Part 2 establishes **Confidentiality of Substance Use Disorder (SUD) Patient Records** regulations to protect against discrimination and fear of prosecution, which may deter people from entering SUD treatment
- As mandated by the CARES Act, the final rule seeks to **align 42 CFR Part 2 more closely with HIPAA to protect patient privacy** while ultimately **integrating behavioral health information in medical records**
- **What has not changed?**
 - SUD treatment records cannot be used to investigate or prosecute the patient without written patient consent or a court order
 - Clarifies that segregating or segmenting Part 2 records is not required

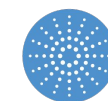


New HHS Final Rule Modifies 42 CFR Part 2 (2/2)

- **What *has* changed?**
 - *A single patient consent* for all future uses and discloses for treatment, payment, and health care operations (TPO)
 - *Permits redisclosure* of Part 2 records by HIPAA covered entities and business associates in accordance with the HIPAA privacy rule
 - *Permitted disclosure* of de-identified records to public health authorities without patient consent
 - *Penalty, breach notification, and patient notice* requirements align with HIPAA regulations
 - *Safe harbor* for investigative agencies that act with reasonable diligence
 - *Defines SUD counseling notes* to require specific consent separate from TPO consent, similar to HIPAA protections for psychotherapy notes



State Updates



California Legislation Tracking (1/2)

No./Author	Summary	Recent Developments
<u>AB 236</u> (Holden)	Requires health plans and insurers to annually verify and delete inaccurate listings from provider directories to be at least 60% accurate, with administrative penalties for failure to meet benchmarks. Authorizes DMHC and Department of Insurance to develop uniform formats for plans and insurers to request directory information from providers and authorizes the establishment of methodology and processes to ensure accuracy.	Passed Assembly; Awaiting Senate Committee Assignment (1/30)
<u>AB 1011</u> (Weber)	Imposes new restrictions on the sale, disclosure of “social care information” on users of “closed-loop referral systems” including public agencies, non-profits, health care providers, vendors.	Two-year bill
<u>AB 1331</u> (Wood)	Establishes DxF governing board; outlines appointment of members; requires board approval for any amendments to DSA; requires QHIOs to be non-profits; decrease size of board to five members; require certain reports and educational efforts related to consumers and data; among other requirements.	Two-year bill
<u>AB 2089</u> (Holden)	Require cities and counties to include additional collection categories for specified Black or African American groups when collecting demographic data related to ancestry or ethnic origin.	Introduced (2/5)
<u>AB 2153</u> (Lowenthal)	Require public agencies to promptly provide written notice prior to release of any personnel, medical, or similar records of a public agency employee.	Introduced (2/6)



California Legislation Tracking (2/2)

No./Author	Summary	Recent Developments
<u>SB 294</u> (Wiener)	Requires health plans and disability insurers that uphold grievance decisions to automatically submit decisions to the Independent Medical Review System within 24 hours, along with relevant information.	Passed Senate; Held at Desk in Assembly (1/29)
<u>SB 957</u> (Wiener)	Mandates that state health agencies must collect SOGI data to identify and address disparities.	Introduced; Awaiting Committee Assignment (1/22)
<u>SB 1016</u> (Gonzalez)	Requires CalFresh to use separate collection categories for Hispanic or Latino groups using OMB standards and require use of separate collection categories for each major Latino group, Mesoamerican Indigenous nation, and Mesoamerican Indigenous language group with reporting requirements.	Introduced (2/5)
<u>AB 2198</u> (Flora)	Exclude dental or vision benefits the APIs that health plans and insurers are required to maintain.	Introduced (2/7)
<u>AB 2250</u> (Weber)	Establish SDOH screeners as a covered benefit for Medi-Cal beneficiaries and require health plans and insurers to cover SDOH screenings. Additionally, requires providers to use specified tools or protocols to document patient responses and require health plans and insurers to provide PCPs access to peer support specialists, lay health workers, social workers, or community health workers.	Introduced (2/8)



California Legislation Tracking - Artificial Intelligence

No./Author	Summary	Recent Developments
<u>AB 1791</u> (Weber)	States intent to require CA-based companies creating generative AI to implement the Coalition for Content Provenance and Authenticity's technical open standard and content credentials.	Introduced (1/4)
<u>AB 1824</u> (Valencia)	States intent to enact legislation that would create a disclosure requirement for content generated through AI.	Introduced (1/11)
<u>AB 2013</u> (Irwin)	Require developers of AI made available to Californians for use to publicly post documentation regarding the data used to train the artificial intelligence system or service.	Introduced (1/31)
<u>AB 2058</u> (Weber)	States intent to enact legislation relating to commercial algorithms and AI-enabled medical devices.	Introduced (2/1)
<u>AB 2885</u> (Bauer-Kahan)	States intent to enact legislation to define the term "artificial intelligence."	Introduced (2/15)
<u>AB 2930</u> (Bauer-Kahan)	Require annual impact assessments for automated decision tools, notify persons of AI use in consequential decisions, and prohibit algorithmic discrimination subject to penalties.	Introduced (2/15)
<u>AB 3050</u> (Low)	Require the use and establishment of standards for watermarks to be included in AI-generated materials. AI-generating entities would be liable for damages related to unauthorized deepfakes.	Introduced (2/16)
<u>AB 3095</u> (Waldron)	States intent to enact legislation relating to artificial intelligence.	Introduced (2/16)
<u>SB 892</u> (Padilla)	Requires the Department of Technology to establish safety, privacy, and nondiscrimination standards relating to AI services and require state contracts to meet these standards.	Introduced (1/3)
<u>SB 893</u> (Padilla)	Would establish California Artificial Intelligence Research Hub to facilitate collaboration between government agencies, academic institutions, and private sector partners.	Introduced (1/3)

News, Events, And Announcements



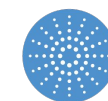
What We're Reading – Check Out C4BH's Newsletter!

Data Sharing To Support Health Care And Homelessness Services

Community Solutions Built for Zero Initiative offers lessons learned on leveraging one-way data sharing from homelessness providers to health care systems for more successful service coordination and continuity of care to support individuals experiencing homelessness. [Read More](#)

State Efforts to Protect Reproductive Health Data

In the wake of Roe v. Wade being overturned, states are looking to enact protections for reproductive health care data. There are reports of location data being sold to anti-abortion ad campaigns and concerns around information being disclosed to law enforcement without patient consent. States that have passed legislation to protect this sensitive data include Connecticut, Nevada, Washington, New York, California, and Maryland. [Read More](#)



Upcoming Events

- **Feb 25-28:** ViVE 2024 | Los Angeles, CA | [Register here](#)
- **Feb 29, 11-12PM PT:** CalHHS CDII | DxF DSA Signatory Grantee Webinar | [Register here](#)
- **March 5, 2-3PM PT:** CalHHS CDII | Technical Advisory Subcommittee Meeting | *Details Pending*
- **March 6, 1:30-4PM PT:** CalHHS CDII | Policies and Procedures Subcommittee Meeting | [Register here](#)
- **March 11-15:** HIMSS 2024 | Orlando, FL | [Register here](#)
- **March 19, 12-2:30PM PT:** CalHHS CDII | Implementation Advisory Committee | [Register here](#)
- **April 16:** NorCal State of Reform Health Policy Conference | Sacramento, CA | [Register here](#)
- **April 26:** Riverside County Medical Association | First Annual AI Healthcare Conference | Rancho Cucamonga, CA | [Register here](#)
- **May 7-8:** California Medical Association | Annual Health IT Summit | San Francisco, CA | [Register here](#)

