

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

June 22, 2022

2. Department

California Health & Human Services Agency (CalHHS)

3. Organizational Placement (Division/Branch/Office Name)

Data Exchange Framework (DxF)

4. CEA Position Title

Deputy Director

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The CalHHS proposes to allocate the above position to the CEA category. The Deputy Director will lead and coordinate state engagement on the Data Exchange Framework (DxF), governance, policy, and related programs in support of interoperable health information exchange (HIE) as a vital infrastructure component that can reduce medical errors, improve health care quality, and produce greater value for health care expenditures.

6. Reports to: (Class Title/Level)

Exempt, Director & CalHHS Chief Data Officer, Center for Data Insights & Innovation (CDII)

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The Deputy will set California's data exchange vision in collaboration with all key stakeholders. The Deputy will resolve data exchange, privacy, and security issues through the harmonization of state and federal laws, policies and procedures, governance and enforcement. The Deputy will oversee the implementation of California's strategy, taking into account new and emerging trends in data exchange. The Deputy will oversee a grant program to further data exchange efforts in California.

The Deputy will coordinate all Data Exchange Framework (DxF) initiatives including, but not limited to the DxF framework, data sharing agreement, policies and procedures, governance, stakeholder engagement, and digital identities. The Deputy will also coordinate all federal health information exchange efforts and programs to ensure alignment with California's DxF. The Deputy is also a charter member of the Advisory Groups.

The Deputy oversees the integration of state government HIE efforts to ensure that the state's health information technology system implementations are: 1) interoperable; 2) advance the coordination of health care; and 3) and helps ensure state health information technology projects are aligned with the DxF and national standards, initiatives and policies. This position also leads the state's engagement in the development, application, and use of health information technology at the department level.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: CalHHS's mission is to work together with counties, cities, and communities, as well as our public, private, faith, and educational partners to make California a healthy, vibrant, inclusive place to live, play, work, and learn.

The Data Exchange Framework (DxF) program directly supports the CalHHS mission in that the CalHHS Data Exchange Framework principles are the core expectations or "rules of the road" that: guide the design and implementation of the DxF and electronic health and human services information exchange in California; support the deliberations and formulation of Advisory Group and its subcommittees' DxF and DxF Data Sharing Agreement recommendations; and, build trust among data exchange partners. These DxF principles include advancing health equity; making data available to drive decisions and outcomes; supports whole person care; promotes individual data access; reinforces individual data privacy and security; establishes clear and transparent terms and conditions for data collection, exchange, and use; adheres to data exchange standards; and accountability. Hundreds of experts and members of the public have worked together and spent the last year shaping a framework that delivers on these principles. This work will support the CalHHS mission in that it will help make California a healthy, vibrant, inclusive place to live, play, work, and learn.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

Governor Newsom's signature on AB 133 (Chapter 143, Statutes of 2021) on July 27, 2021 initiated the development of the state's first-ever California Health and Human Services Data Exchange Framework (DxF) — a single data sharing agreement and common set of policies and procedures that will govern the exchange of health information among health care entities and government agencies beginning in June 2024.

The legislation provides CHHS with the authority to establish a Data Exchange Framework that will improve how health information is shared across the health and social services systems — protecting public health, improving care delivery, and guiding policies aimed at caring for the whole person, while maintaining patient privacy, data security, and promoting equity. Further, the legislation requires a Digital Identities Strategy be developed.

The Data Exchange Framework must be finalized by July 1, 2022. The legislation includes a mandate requiring providers' full participation in the exchange beginning January 31, 2024.

A Budget Change Proposal was approved to advance this work to facilitate health information exchange and establish a robust governance program for the California Health and Human Services Data Exchange Framework. The programs and governance work will allow all Californians — and the health and human service providers and organizations that care for them — have timely, secure access to the electronic information necessary to address their health and social needs.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

Through the implementation of the Data Exchange Framework, data sharing agreement, and corresponding policies and procedures which the CEA will be the principle policy maker, there will be an identifiable impact statewide as it relates to exchanging patient information real time to inform better health and human services data exchange and subsequent better health outcomes. For example, initial policy areas include:

- Process for Amending the DSA
- Modifications to Policies and Procedures
- Data Elements to be Exchanged
- Breach Notification
- Permitted Required and Prohibited Purposes
- Requirement to Exchange Health and Social Services Information
- Privacy and Security Safeguards
- Individual Access Services

The result of the Data Exchange Framework and the corresponding policies and procedure will be that every Californian should be able to walk into a doctor's office, a pharmacy, a county social service agency, or an emergency room and be assured health and human services providers can access the information they need to provide safe, effective, whole person care—while keeping our data private and secure.

This is the goal of California's Health and Human Services Data Exchange Framework, a first-ever, statewide data sharing agreement that will accelerate and expand the exchange of health information among health care entities, government agencies, and social service programs beginning in 2024. The Data Exchange Framework and the above listed initial policies are in direct support of this goal and the CEA is the principle policy maker in this area.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The CEA / Deputy Director (Deputy) reports to the CDII Director and Chief Data Officer and acts as the Administration's key advisor on all issues related to electronic health information technology and exchange. Working with a wide spectrum of stakeholders, the Administration has undertaken efforts to establish a Data Exchange Framework (DxF) – a single data sharing agreement and common set of policies and procedures that will govern the exchange of health and human services information among health care and social services entities and government agencies. The Deputy Director for the DxF will lead and coordinate state engagement on the DxF, governance, policy, and related programs.

The Deputy will set California's data exchange vision in collaboration with all key stakeholders. The Deputy will resolve data exchange, privacy, and security issues through the harmonization of state and federal laws, policies and procedures, governance and enforcement. The Deputy will oversee the implementation of California's strategy, taking into account new and emerging trends in data exchange. The Deputy will oversee a grant program to further data exchange efforts in California.

The Deputy will coordinate all DxF initiatives including, but not limited to the DxF framework, data sharing agreement, policies and procedures, governance, stakeholder engagement, and digital identities. The Deputy will also coordinate all federal health information exchange efforts and programs to ensure alignment with California's DxF. The Deputy is also a charter member of the Advisory Groups.

Finally, the Deputy will oversee the integration of state government health information exchange efforts to ensure that the state's health information technology system implementations are: interoperable; advance the coordination of health care; and help ensure state health information technology projects are aligned with the DxF and national standards, initiatives and policies. This position also leads the state's engagement in the development, application, and use of health information technology at the department level.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

Yes - There are multiple policies that support the Data Exchange Framework that will impact entities across the state that may or may not currently be practicing the requirements spelled out in the data exchange framework and policies that they will be required to follow. In addition, revisions to the policies will be needed and new policies will also be developed. This work will be accomplished under the CEA's leadership and through a stakeholder engagement process.