



## Legislation Text

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**File #:** 23-0455, **Version:** 1

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Health and Human Services Agency (HHS) recommending the Board:

- 1) Approve and delegate authority to the Behavioral Health Director to execute the non-financial Data Exchange Framework-Single Data Sharing Agreement 7490 with California Health and Human Services Agency (CalHHS) for a retroactive term beginning January 31, 2023, with no set termination date; and
- 2) Authorize the Behavioral Health Director or HHS Director to execute further documents or amendments that do not add compensation to the Data Exchange Agreement 7490, contingent upon approval by County Counsel, Information Technology, if applicable, and Risk Management.

**FUNDING:** N/A

### **DISCUSSION / BACKGROUND:**

California Health and Safety Code Section 130290 was enacted in 2021 and establishes the creation of the California Health and Human Services Data Exchange Framework and requires certain data sharing among entities as set forth in California Health and Safety Code Section 130290(f) on or before January 31, 2024. California Health and Safety Code Section 130290 also provides for the California Health and Human Services Agency to encourage the inclusion of county health, public benefit, and social services as part of the Data Exchange Framework. The framework includes this single data sharing agreement (DSA) and a set of common policies and procedures.

As part of the California Advancing & Innovating Medi-Cal (CalAIM) initiative (File ID 21-1313), The Department of Health Care Services (DHCS) is moving towards data exchange amongst healthcare providers and healthcare plans. In February 2022, El Dorado County Behavioral Health applied for and was awarded the Behavioral Health Quality Improvement Plan (BHQIP) Grant (File ID 22-0410). The grant operates with set timelines when a recipient has to demonstrate to DHCS that milestones towards meeting a set of goals have been met. Goal 3 focuses on the capability of direct data exchange. The requirement is for the County to submit an updated implementation plan to DHCS to demonstrate having met the next set of deliverables. DHCS has communicated to all BHQIP participating Counties that signing the DSA would meet one of the Goal 3 subsets, demonstrating the County is making progress towards being able to perform direct data exchange.

Executing the DSA meets one of the BHQIP milestones for the County to demonstrate having met this implementation deliverable and to draw down the next set of incentive payments.

DHCS informed Counties on February 15, 2023, that this deliverable, originally requested by March 1, 2023, has just been moved back to September 1, 2023. CalHHS has set up a portal where the DSA must be signed with the name of the BH Directors.

The DSA between CalHHS and the County is required for all Participants who are required to or elect to exchange Health and Social Services Information within the State of California and is intended to facilitate data exchange between the participants in compliance with all applicable federal, state, and

local laws, regulations, and policies. This Agreement 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 (as defined below) between and among the Participants. Nothing in this Agreement is intended to replace or supersede any existing or future agreement between or among two or more Participants that provides for more extensive data exchange than that required under this Agreement.

Due to the State providing an agreement with a retroactive effective date, HHSA is requesting Board approval for the non-financial DSA. Upon Board approval, the DSA will be signed through the portal by the County Behavioral Health Director.

**ALTERNATIVES:**

If the Board chooses to decline to authorize the HHSA Behavioral Health Director to sign the DSA, HHSA will have to reach out to CalHHS to request changing their preferred process for our County. This delay in execution of the DSA could delay incentive payments under the CalAIM BHQIP.

**PRIOR BOARD ACTION:**

- 1) 08/31/2021, #21-1313 HHSA DHCS BHIN 21-044 CalAIM
- 2) 03/22/2022, #22-0410 HHSA CalAIM Behavioral Health Quality Improvement Program (BHQIP)

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

County Counsel, Information Technology, and Risk Management.

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

There is no financial impact associated with this non-financial Data Sharing Agreement.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT:**

County Strategic Plan, Healthy Communities

**CONTACT**

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