

Participant and Partner Directed and Controlled Transmission of their Data via HSX MarketStreet

Version	Approval Date	Owner
1.0	February 6, 2019	Innovation, Research, & Development

1. Purpose

The purpose of this policy is to govern the procedures for allowing HealthShare Exchange (HSX) to enable HSX Participants and Partners to direct and control transmission of their own Data (as defined below), bidirectionally, from HSX's databases and to enable sharing such information through HSX MarketStreet Application Programming Interfaces (APIs) or appropriate approved mechanism to a designated recipient chosen by the HSX Participant and Partner.

This policy provides guidance for section 6.3.5 of the HSX Founding Member Participation Agreement:

Nothing in this Policy is intended to limit a Participant's and Partner's use of its own data in any way.

2. Scope

- This policy pertains to all HSX Participant and Partner Data stored within the HSX databases and such HSX Participant and Partner Data that can be accessed in a Federated Model. This HSX Participant and Partner Data includes, but is not limited to, the following Patient/Consumer information:
 - Allergies, Care Team Documentation, Demographics, Health History, Diagnostic Test Results, Medications, Problems, Procedures, Immunizations, and Vital Signs
- If a Patient/Consumer previously has opted-out of HSX, that Patient's/Consumer's Data will not be shared unless and until the Patient/Consumer opts-back in.
- To the extent that HSX Participant/Partner Data may include Super Protected Data (as such term is defined by the applicable state and federal law and HSX Policies), now or in the future, HSX and HSX Participant/Partner shall comply with all

applicable state and federal requirements governing the sharing of such HSX Participant/Partner Data, including any requirements for specific consent or notice language, as applicable.

- The HSX Participant and Partner can use any HSX approved infrastructure to store data that is not required to be shared through the HIE infrastructure.

3. Policy

- HSX Participants and Partners shall be offered the opportunity to direct their own Participant and Partner Data through HSX MarketStreet Application Programming Interfaces (APIs) or other interfaces/connections to a secure recipient chosen by the HSX Participant/Partner for an established set of permitted purposes as designated by the HSX Participant and Partner prior to the exchange of data and in accordance with executed agreements.
 - A Partner may exchange Partner Data directly with another Partner.
 - A Participant may exchange their Data directly with another Participant or Partner.
 - A Partner may exchange Partner Data directly with another Participant.
- HSX monitors the use of Participant and Partner Data in this Use Case in accordance with the Audit and Monitoring Policy. In the event a misuse of Participant/Partner Data is alleged or identified, HSX shall follow the procedure outlined in the HSX Data Misuse Policy.
- HSX shall ensure the secure transmission of all clinical health information that is Protected Health Information (PHI), and encryption shall be implemented and maintained throughout all HSX storage and transmission processes.
- In the event that the intended recipient of the HSX Participant and Partner Data is a Patient/Consumer, the Consumers Right to Direct and Control Transmission of their Personal Data Use Case shall be followed.

4. Procedures

An HSX Participant and Partner interested in exchanging Data via HSX MarketStreet APIs must make a request to the HSX Innovation, Research & Development Division directly (see contact information below) who will initiate the implementation processes.

For a designated recipient who has not yet been approved as an HSX Partner, this process will include proceeding through the HSX MarketStreet DataLine Partnership selection processes.

An agreement with HSX is required. This may or may not require a Point to Point Amendment to the Member Participation Agreement.

If an HSX Participant and Partner is sending HSX Participant and Partner Data to a Patient/Consumer facing application:

- An HSX Participant/Partner shall be limited to the “secure mediums” that have been vetted through HSX’s Innovation, Research & Development Division (IRD Division) and approved by the HSX Innovation Committee (hereinafter, an “**Approved Medium**”);
- An Approved Medium may, for example, include a mobile application or a web portal that has implemented Authentication and obtains Patient/Consumer Consent that meet the minimum standards adopted by the HSX IRD Division and approved by the HSX Innovation Committee, which in no case may fall below required federal and/or state legal requirements and leading practices and standards in the industry;
- In general, Authentication and Consent requirements will be based upon the existing HSX Privacy and Security framework for HSX MarketStreet initiatives.

Additional procedures or protocols may be added, at the discretion of the HSX IRD Division as needed to enhance or ensure adequate security of HSX Participant/Partner Data and adhere to expressed preferences for directing and controlling transmission of HSX Participant and Partner Data.

5. Enforcement

- The HSX Innovation, Research and Development Division is responsible for monitoring the implementation of this Use Case in accordance with HSX policies, under the direction of the President and the HSX Innovation Committee.
- Each member, participant and third party shall be responsible for ensuring that their respective physicians, care managers and other staff follow this policy.

6. Definitions

For a complete list of definitions, refer to the *Glossary*.

- HSX Participant and Partner Data – Data that includes, but is not limited to, the following Patient/Consumer information: Allergies, Care Team Documentation, Demographics, Health History, Diagnostic Test Results, Medications, Problems,

Procedures, Immunizations, and Vital Signs originating from an HSX Participant or Partner as defined below.

- Federated Model – a federated model refers to a decentralized architecture that allows for interoperability and discrete information sharing of data elements.
- Secure Medium- a secure medium refers to a Data recipient that meets all privacy and security standards required by HSX for the transfer of Personal Health Information.
- Approved Medium- a secure medium that has been vetted through HSX’s Innovation, Research & Development Division (IRD Division) and approved by the HSX Innovation Committee.
- HSX Partner – a third-party organization/solution that is connected to HSX MarketStreet.
- HSX Participant – a founding member and/or participant of HSX, who has signed the HSX PAR (Participation Agreement)

7. References

Policy Owner	Innovation, Research & Development	Contact	Rakesh Mathew rakesh.mathew@healthshareexchange.org
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Related Documents	Audit and Monitoring Policy Consumers Right to Direct and Control Transmission of Their Personal Data Use Case Data Misuse Policy Glossary HSX Founding Member Participation Agreement [Data Exchanger] Point to Point Amendment to Member Participation Agreement Use Case Governance Policy		

