



## Summary of the HSX TPO Use Case

**During its Board meeting of March 19, 2025, the HSX Board unanimously approved the TPO Use Case described below. The TPO Use Case had been previously reviewed by the Privacy & Security and the Clinical Advisory Committees and is inclusive of their comments. The Participation Agreement between HSX and its Participants created in 2016 restricts data sharing to treatment and other purposes contained in approved Use Cases or as required by law. In approving this TPO Use Case, the HSX Board was reminded that the framework for data sharing contained in the Participation Agreement predated many of the laws and regulations currently regulating data sharing.**

**Purpose:** This Use Case ensures HSX aligns its data sharing practices with federal laws, particularly HIPAA and the 21<sup>st</sup> Century Cures Act, to facilitate permitted uses and disclosures of electronic health information (EHI) for Treatment, Payment, and Health Care Operations (TPO). The HIPAA Privacy Rule provides a framework for protecting individual's protected health information (PHI) while allowing necessary disclosures for healthcare functions. The 21<sup>st</sup> Century Cures Act and the Information Blocking Rule further promote interoperability and prevent unjustified restrictions on data access.

**Scope:** The Use Case applies to all HSX Participants who have completed onboarding, including Covered Entities, public health authorities, social service agencies, and Business Associates, unless legally restricted. Specific provisions include:

- Individuals who opt out of HSX will have no data shared unless de-identified.
- EHI related to out-of-pocket payments will not be shared with Health Plans if the patient requests.
- Super Protected Data (SPD) will not be disclosed unless appropriate consent is obtained.
- Participants must comply with minimum necessary standards under HIPAA for Payment and Health Care Operations.
- Data disclosure must align with other HSX-approved Use Cases governing specific TPO purposes.

### **Policy & Procedure (some of which is contained in the Participation Agreement):**

- HSX Participants may request data for TPO purposes, subject to legal restrictions and the provisions of the Participation Agreement.
- Participants must provide individuals with HIPAA-compliant Notices of Privacy Practices, updated as necessary.
- Data disclosures must meet HIPAA standards and be limited to necessary information, as per the Participation Agreement and legal restrictions.
- HSX reserves the right to monitor, restrict, or filter data to ensure compliance.
- Requests for EPHI for research purposes must follow a separate HSX-approved Use Case.
- HSX will facilitate segmentation and filtering of SPD where feasible.

**Enforcement:** HSX's Chief Security Officer and Chief Privacy Officer oversee compliance. Misuse of data will be addressed under HSX's Data Misuse Policy and the Participation Agreement. HSX also monitors data use through its Audit and Monitoring Policy.

### **Key Definitions:**



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- **Treatment:** Provision, coordination, or management of healthcare services.
- **Payment:** Activities related to obtaining reimbursement for healthcare services.
- **Health Care Operations:** Administrative, financial, and quality improvement activities that support TPO functions.

This Use Case positions HSX and its Participants to legally share data for TPO while adhering to applicable laws and regulations.