July 19, 2022

RCE Monthly Informational Call

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Agenda

• How will Exchange Work under TEFCA?
• What are TEFCA Components?
• Timeline to Operationalize TEFCA
• Questions & Answers: Part 1
  » Questions received during or after June monthly call
• SOP Status & Release Schedule
  » Recently Released SOPs and Resources
• Payment and Health Care Operations Stakeholder Input Process
• Questions & Answers: Part 2
  » Questions received during July monthly call
Each QHIN connects Participants, which connect Subparticipants.

Qualified Health Information Networks (QHINs) connect directly to each other to facilitate nationwide interoperability.

RCE provides oversight and governing approach for QHINs.

ONC defines overall policy and certain governance requirements.

How will exchange work under TEFCA?
TEFCA Components

- Trusted Exchange Framework
- Common Agreement
- Standard Operating Procedures
- QHIN Technical Framework
- QHIN Onboarding
- Metrics
- Governing Approach
Timeline to Operationalize TEFCA

2021
- Public engagement
- Common Agreement Work Group sessions
- RCE and ONC use feedback to finalize TEFCA

2022
- Publish Common Agreement Version 1
- Publish QHIN Technical Framework (QTF) Version 1 and FHIR Roadmap
- Initiate work to enable FHIR-based exchange
- Public education and engagement

2023
- Establish Governing Council
- Follow change management process to iterate Common Agreement, SOPs, and QTF, including to support FHIR-based exchange

Q1 of 2022
- Finalize initial SOPs
- QHINs begin signing Common Agreement and applying for Designation
- Prepare for TEFCA FHIR exchange pilots

Summer/Fall 2022*
- Onboarding of initial QHINs
- Additional QHIN applications processed
- RCE establishes Transitional Council
- RCE begins designating QHINs to share data

Q3 and Q4 of 2022
- Onboarding of initial QHINs
- Additional QHIN applications processed
- RCE establishes Transitional Council
- RCE begins designating QHINs to share data
- Prepare for TEFCA FHIR exchange pilots

*Updated per ONC Buzz Blog post, May 16, 2022
Questions & Answers

For more information: rce.sequoiaproject.org
SOP Status & Release Schedule
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<thead>
<tr>
<th>SOP Name</th>
<th>Expected Publication of Version 1 Final</th>
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<tr>
<td><strong>QHIN Security Requirements for the Protection of TI (Update)</strong></td>
<td>Version 1.1 released 5/16</td>
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<td><strong>Exchange Purposes</strong></td>
<td>June 2022 (V1 released 6/21)</td>
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<td><strong>QHIN Fee Schedule (Schedule 1)</strong></td>
<td>June 2022 (V1 released 6/21)</td>
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<td><strong>Types of Entities That Can Be a Participant or Subparticipant in TEFCA</strong></td>
<td>July 2022 (V1 released 7/19)</td>
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<td><strong>QHIN Onboarding &amp; Designation (and QHIN Application)</strong></td>
<td>August 2022 (Draft released 5/16)</td>
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<td><strong>Means to Demonstrate U.S. Ownership and Control of a QHIN</strong></td>
<td>August 2022 (Draft released 6/30)</td>
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<td><strong>Individual Access Services (IAS) Exchange Purpose Implementation</strong></td>
<td>August 2022 (Draft released 6/30)</td>
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<td><strong>Participant and Subparticipant Security</strong></td>
<td>October 2022</td>
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<td><strong>Other Security Incidents and Reportable Events</strong></td>
<td>End of 2022</td>
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<td><strong>Payment and Health Care Operations Exchange Purpose Implementation</strong></td>
<td>Early 2023</td>
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<td><strong>Public Health Exchange Purpose Implementation</strong></td>
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<td><strong>Government Benefits Determination Exchange Purpose Implementation</strong></td>
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<td><strong>Suspensions Process</strong></td>
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<td><strong>Successor RCE &amp; Transition</strong></td>
<td>2023</td>
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Draft SOP: Individual Access Services (IAS) Exchange Purpose Implementation
Credential Service Provider—IAS Providers are required to have an agreement with a credential service provider (CSP) who has been approved by an RCE-selected CSP approval organization.

Identity Verification Requirement—IAS Providers are required to verify the identities of Individuals via a CSP prior to the Individual’s first use of Connectivity Services, and then again after credentials expire.

Evidence of Individual Identity Proofing—IAS Providers are required to demonstrate that all Individuals that elect to use their IAS offering have proven their identities consistent with achieving NIST IAL2.

Use of Proven Demographics. IAS Providers are required to submit queries to the QHIN that include as primary demographics only the demographics as provided to the CSP and verified to NIST IAL2.

Response—QHINs, Participants, and Subparticipants that receive a QHIN Query for an IAS Exchange Purpose that provides the information specified and provides an acceptable match, based on responder policy, are required to Respond with the Required Information per the Common Agreement, the QHIN Technical Framework, and the Exchange Purposes SOP.

Certified Changes Only—An IAS Provider is required to ensure that all updates to demographic information transmitted via Connectivity Services for the IAS Exchange Purpose have the demographics verified to NIST IAL2 by the CSP prior to their use.

Feedback Deadline July 29, 2022
https://rce.sequoiaproject.org/individual-access-services-ias-implementation-sop-feedback/
1. What are the policy, legal, and/or regulatory challenges that may impact the ability of TEFCA QHINs, Participants, or Subparticipants to respond to IAS Requests based on demographics-based patient-matching, as proposed in the draft IAS Exchange Purpose Implementation SOP?  
   a) What approaches could the federal government consider to help organizations address these challenges?

2. What are some considerations for solving the challenges presented by demographics-based patient matching at a national network scale?  
   a) Please identify educational or collaboration resources, as well as potential policy and technical approaches, that can be implemented across organizations to help identify a common baseline for how to improve confidence in patient matching and increase the response rate to IAS Requests.

3. How do organizations determine they have achieved an acceptable match for IAS? How much variation exists across the market in policies for determining an acceptable match?  
   a) Would the use of IAL2 verified identifiers increase match confidence? If so, how?  
   b) What additional steps might be taken at a TEFCA-wide level to improve match confidence?

4. In the FHIR roadmap, QHINs, Participants, and SubParticipants will be required to respond to an IAS Request based on responder-issued credentials presented through an OAuth flow. How could TEFCA use responder-issued credentials as a means of definitively authenticating IAS Requests in a non-FHIR environment?  
   a) What are the challenges?  
   b) Given that TEFCA will support FHIR and non-FHIR exchange, how important is it to have an authentication process using responder-issued credentials in non-FHIR transactions brokered through QHINs?
Automatic Disqualification

i. If any of the Applicant’s directors, officers, or executives or an individual with a Direct or Indirect Ownership Interest in the Applicant of 5% or greater is any of the following:
   a) listed on the United States Department of the Treasury, Office of Foreign Assets Control (OFAC) list of “Specially Designated Nationals” or “SDNs.” The SDN list is a list of individuals and companies owned or controlled by, or acting for or on behalf of, countries that OFAC has identified as a threat, as well as individuals, groups, and entities, such as terrorists and narcotics traffickers, designated under programs that are not country-specific. OFAC keeps this list current and it is publicly available at https://home.treasury.gov/policy-issues/financial-sanctions/specially-designated-nationals-and-blocked-persons-list-sdn-human-readable-lists; or
   b) a citizen or legal resident of a country listed on the OFAC Sanctions Program and Country Information page available at https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information; or
   c) listed on the Department of Health and Human Services, Office of Inspector General’s List of Excluded Individuals. OIG keeps this list current and it is publicly available at https://oig.hhs.gov/exclusions/exclusions_list.asp.

ii. If any Entity with a Direct or Indirect Ownership Interest in the Applicant of 5% or greater is a Non-U.S. Entity.

iii. If any combination of Non-U.S. Individual(s) or Non-U.S. Entity(ies) has (have) an aggregate Direct or Indirect Ownership Interest of 50% or greater in the Applicant.

Case-by-Case Analysis

If the Applicant is not subject to automatic disqualification pursuant to the above criteria and has any combination of Non-U.S. Individual(s) and/or Non-U.S. Entity(ies) that has (have) a Direct or Indirect Ownership of 5% or more, individually or in the aggregate, or that may be under Foreign Control, the RCE will refer the application to ONC for joint review on a case-by-case basis to determine whether the Applicant is owned by a Non-U.S. Individual(s) or Non-U.S. Entity(ies) or is under Foreign Control.

Questionnaire

Feedback Deadline July 29, 2022

TEFCA Flow-Down Resource
Part I: General Information on Required Flow-Downs

- This part contains general information regarding each section of the Common Agreement and its impact (or lack thereof) on Participant-QHIN Agreements. While certain provisions of the Common Agreement are not Required Flow-Downs, they may still affect the rights and obligations of QHINs and Participants and thus should be taken into consideration when drafting the Participant-QHIN Agreement.

Part II: Example Terms

- The second part is intended to provide QHINs with an EXAMPLE of the terms and requirements that must be flowed down to their Participants, pursuant to the QHIN’s obligations under the Common Agreement (the “Example Terms”).
Types of Entities That Can Be a Participant or Subparticipant in TEFCA
Types of Entities That Can Be a Participant/Subparticipant

If an entity is not of a type that is entitled to request information under one or more of the Exchange Purposes, it shall not qualify as a Participant or Subparticipant for purposes of any Framework Agreement.

Only an entity that is entitled to request information under one or more of the Exchange Purposes and is one or more of the following types shall be permitted to be a Participant or a Subparticipant:

(i) a Covered Entity (or a Business Associate) acting on its behalf for the Exchange Purpose of the Covered Entity;
(ii) a Government Health Care Entity (or an agent or contractor) of the Government Health Care Entity acting on its behalf for the Exchange Purpose of the Government Health Care Entity;
(iii) a Health Care Provider (or the Health Care Provider’s agent or contractor) acting on its behalf for the Exchange Purpose of the Health Care Provider but not a Covered Entity or a Government Health Care Entity;
(iv) a federal, state, local, or tribal agency, instrumentality, or other unit of government that determines whether an Individual qualifies for government benefits for any purpose other than health care (for example, Social Security disability benefits) to the extent permitted by Applicable Law (or its agent or contractor acting on its behalf for the Exchange Purpose of such an agency, instrumentality or other unit);
(v) a Public Health Authority (or its agent or contractor) acting on its behalf for the Exchange Purpose of the Public Health Authority;
(vi) an IAS Provider; or
(vii) any entity that contracts with and enables connectivity for any of the entities listed in (i)-(vi) above.

An entity that is not included in the list above, but believes it is entitled to request information under one or more of the Exchange Purposes as described in Section 9 of the Common Agreement, the Exchange Purposes SOP, and the relevant Exchange Purpose Implementation SOP(s), may submit a request to the RCE for addition to this list as an SOP amendment in accordance with Section 5, Change Management in the Common Agreement.
Payment & Health Care Operations Input Process

Charge
• Collect stakeholder input to inform the first version of the TEFCA Payment & Health Care Operations Exchange Purpose Implementation SOP to be published by early 2023.

Priorities for Use Case Selection
• High benefit, high burden
• Strong likelihood of voluntary adoption

Potential Initial Use Case(s)
• Risk adjustment, Prior Authorization, Quality Management
• Others, as determined by input process and time

Launching July 2022
Educational Resources

Resources

• Common Agreement v. 1
• QHIN Technical Framework
• FHIR® Roadmap for TEFCA
• Standard Operating Procedures
• User’s Guide
• Benefits of TEFCA by Stakeholder Factsheets
• FAQs

https://rce.sequoiaproject.org/tefca-and-rce-resources/

Additional Resources:
https://www.healthit.gov/tefca

All Events and Recordings: https://rce.sequoiaproject.org/community-engagement/

Upcoming Monthly Informational Call
Tuesday, August 16 | 12:00 – 1:00 p.m. ET
Questions & Answers

For more information: rce.sequoiaproject.org