



## Draft Qualified Health Information Network Application

Version 2.0 (updated as of December 21, 2022)

This application provides the Recognized Coordinating Entity (RCE) with the information needed to determine a prospective Qualified Health Information Network's (QHIN's) ability to meet its obligations and responsibilities under the Common Agreement. Exchange activities under the Common Agreement rely heavily on trust among the community of QHINs, and this application will assist an applicant in demonstrating their readiness to join that community of trust. Capitalized terms used below without definitions shall have the respective meanings assigned to such terms in the Common Agreement or applicable Standard Operating Procedure (SOP).

In order for an organization to be Designated as a QHIN, the following requirements must be met:

- The RCE must notify applicant of its acceptance and approval of this application;
- Applicant must pay any applicable fees to the RCE; and
- Applicant must complete any additional pre-requisites specified in the QHIN Onboarding & Designation SOP.

Please be aware that the RCE's review time will depend in part on the RCE's ability to contact the references provided.

The RCE may, at its discretion, request or consider additional information beyond this application to inform a final conclusion as to whether or not the applicant has reasonably demonstrated its ability to meet the obligations and responsibilities of a QHIN.

Information requested from the applicant is intended to provide evidence to support eligibility as set forth in the QHIN Onboarding & Designation SOP. In the event that the applicant cannot provide a response to a question in this application because the applicant believes it to be not applicable, please provide an explanation for why such question is not applicable.

For any application questions in which the answers describing your current network differ from the Designated Network, please also explain and provide specific evidence of how the Designated Network will operate.

For any application questions noted with a “\*”, you may respond with information regarding your Parent’s Current Network provided that you are a wholly-owned subsidiary of such parent entity.

**The information contained in this application shall be treated as Confidential Information as defined in the Common Agreement.**

## Part I – Basic Applicant Information

**Question 1.** Please complete the following table.

<p><b>Applicant’s Legal Name as it appears on your state charter:</b></p> <p><b>List all other names under which the applicant does business (Doing Business As, Alias, Trademarks, etc.)</b></p>			
<p><b>Address of Principal Place of Business:</b></p>			
<p><b>Web Site:</b></p>			
<p><b>State/Jurisdiction Where Organized:</b></p>			
<p><b>Legal Structure (e.g., Corporation, LLC):</b></p>			
<p><b>Points of Contact</b></p>	<i>Name</i>	<i>Phone</i>	<i>Email</i>
<p><b>Executive</b></p>			
<p><b>Technical/Testing</b></p>			
<p><b>Legal</b></p>			
<p><b>Finance</b></p>			
<p><b>Parent Legal Name (if Applicant is a wholly-owned subsidiary and will be relying on Parent’s Current Network to demonstrate Historic Experience)</b></p>			

**Note:** You must always have at least two individuals on record with the RCE as points of contact who are currently employed or under contract with your organization, and at least one point of contact for each of the four categories listed above. If the same individual fills more than one of these positions,

please note this. Email information and phone numbers must be provided in the above table for all points of contact.

## **Part II – Organizational Requirements**

**The questions in this Part correspond to Part 4, Section I.1 of the QHIN Onboarding and Designation SOP.**

**Question 2.** Please provide evidence that the legal entity named in Part I of this application is validly organized, in good standing.

Note: You must provide the following information at a minimum:

- (1) A copy of your organization’s charter or equivalent document issued by the Secretary of State, or similar government agency, for the jurisdiction in which you are legally organized or incorporated.
- (2) A certificate of good standing, or similar document, issued by the relevant governmental authority for the jurisdiction in which your organization is domiciled and dated within ninety (90) days of the date of this application.
- (3) A current copy of your organizing documents, such as Articles of Incorporation and Bylaws for a corporation or Articles of Organization and Operating Agreement for a limited liability company. These documents must be attested to by the Secretary of your organization or another officer of your organization if there is no Secretary.

**Question 3.** Please submit the Means to Demonstrate U.S. Ownership and Control of a QHIN SOP Questionnaire, available at: <https://rce.sequoiaproject.org/tefca-and-rce-resources/>

## **Part III – Exchange of Required Information and Ability to Perform Functions of a QHIN**

**The questions in this Part correspond to Part 4, Sections I.2 and I.3 of the QHIN Onboarding & Designation SOP.**

**Question 4.** Please provide specific information regarding the technical architecture that will be used for your Designated Network. If this technical architecture differs from the technical architecture of your current network (or applicable Parent’s Current Network), please explain the differences.

**Question 5.** \*Please describe the purposes for exchange that are currently permitted on your current network. Please specify if any of the permitted purposes are not in production exchange.

**Question 6.** \*Please describe the entities that exchange information through your current network, including the number and type of organizations and their affiliation or non-affiliation with one another.

**Question 7.** \*Please specify ANY limits to the types of organizations that can participate in your network or if your network is specialized in any manner (e.g., by geography, exchange purposes, type of information exchanged).

**Question 8.** \*Please describe the type of information that is currently exchanged through your current network (e.g., ePHI, Designated Record Set).

**Question 9.** Please describe how your experience and resources— including technical, governance, legal, operational, and financial— for your current network will be leveraged in connection with the Designated Network if it is different from your current network.

**Question 10.** In order to be Designated as a QHIN, applicants must provide proof that they are capable of the exchange of Required Information for all of the Exchange Purposes. If applicant is not supporting the exchange of Required Information as detailed in the Exchange Purposes SOP at the time of application, it must provide information in the project plan (Part VI of this application) for doing so through its Designated Network prior to beginning the testing required in Part 4, Section III of the QHIN Onboarding & Designation SOP.

\*Please provide the requested information for all Exchange Purposes that are currently used to **initiate** transactions<sup>1</sup> within your current network.

Exchange Purpose	Months in Production Use	Average Daily Transaction Volumes
<input type="checkbox"/> Treatment		
<input type="checkbox"/> Payment		
<input type="checkbox"/> Health Care Operations		
<input type="checkbox"/> Public Health		
<input type="checkbox"/> Government Benefits Determination		
<input type="checkbox"/> Individual Access Services		
<input type="checkbox"/> Other (answer question below)		

\*Please provide the requested information for all Exchange Purposes that are currently **responded to** within your current network.

Exchange Purpose	Months in Production Use	Average Daily Transaction Volumes
<input type="checkbox"/> Treatment		
<input type="checkbox"/> Payment		
<input type="checkbox"/> Health Care Operations		
<input type="checkbox"/> Public Health		
<input type="checkbox"/> Government Benefits Determination		
<input type="checkbox"/> Individual Access Services		
<input type="checkbox"/> Other (answer question below)		

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<sup>1</sup> Current network transactions include transactions that are between the applicant and external entities, including between applicant and its participants within its current network.

If you checked “other” in the table above, please list and provide a definition or brief description of any additional purposes for exchange, other than the Exchange Purposes in the above tables, that are currently permitted within your current network. If none, please state “None” or “NA.”

**Question 11.** \*Please check all technical components you currently support and provide the corresponding details with respect to your current network:

**11a.**

- QHIN Query

Describe your ability to support query functionality as outlined in the (QHIN) Technical Framework (QTF) or other functionally comparable exchange method, including length of experience supporting such functionality. Indicate in the table what transaction standards are used for each query function.

Query Function	Standard(s) / Profile(s) Used
Secure Channel	
Mutual Authentication	
User Authentication	
Authorization & Exchange Purpose	
Query for Patients	
Document Query and Retrieve	
Auditing	

**11b.**

- QHIN Message Delivery

Describe your ability to support message delivery, including length of experience supporting such functionality, and specifically note what transaction standards are used.

**11c.**

- Record Location Service; and/or
- Enterprise Master Patient Index; or
- Federated Patient Discovery; or
- Other innovative method (please explain)

**Question 12.** Please describe here and in your project plan (Part VI of this application) how your Designated Network will scale to keep pace with the volume of transactions required to support the Designated Network, which could reach fifty (50) million transactions or more per day. The project plan must also include details around the additional technical capacity, staff, and other resources needed to scale.

**Question 13.** Please describe any gaps between your current technical infrastructure and the requirements of the QTF and explain how you will address these gaps in your project plan (Part VI of this application) so that your Designated Network will be able to fully comply with the QTF prior to beginning the conformance testing required in Part 4, Section III of the QHIN Onboarding & Designation SOP.

## **Part IV – Organizational Infrastructure and Legal Authority**

**The questions in this Part correspond to Part 4, Section I.4 of the QHIN Onboarding & Designation SOP.**

**Question 14.** Please describe your organizational structure and identify the individuals who will support the Designated Network, including how these individuals will work with the Designated Network Governance Body and their tenure with the organization.

**Question 15.** \*Please describe how your current network is governed. This must include a description of the individual/group responsible for governing your current network, how the governance is performed, and evidence of the legal authority supporting such governance.

**Question 16.** Intentionally Omitted.

**Question 17.** Please describe (1) eligibility criteria for Participant and Subparticipant representatives on the Designated Network Governance Body, (2) the number (or range) of individuals that participate on the Designated Network Governance Body, (3) the number (or range) of Participant and Subparticipant representatives on the Designated Network Governance Body, (4) the quorum requirement for the Designated Network Governance Body, and (5) if applicable, the relationship of the Designated Network Governance Body to your existing governance body for your current network.

**Question 18.** Please describe how often the Designated Network Governance Body will meet.

**Question 19.** Please provide the Designated Network Governance Body charter or equivalent policy and documentation that the Designated Network Governance Body has been granted the authority to perform the Governance Functions for the Designated Network. For example, if the Signatory's corporate organizational documents require the Signatory's corporate board of directors to delegate authority to the Designated Network Governance Body, the board resolution documenting such delegation must be provided.

**Question 20.** By when will the Designated Network Governance Body meet the representation requirements of Part 4, Section I.4(f)(i) of the QHIN Onboarding & Designation SOP? If not at the time of

Designation, please provide a plan, with timelines, in the project plan (Part VI of this application), specifying how you will comply with the requirements of Part 4, Section I.4(f)(i) and I.4(f)(ii) of the QHIN Onboarding & Designation SOP within twelve (12) calendar months of Designation and how you will fulfill the Governance Functions in the interim.

**Question 21.** Intentionally Omitted.

**Question 22.** Please describe how you will communicate the rules of Designated Network governance to Participants in your Designated Network and legally obligate those Participants to comply (e.g., contract terms, policies, or some other written form).

**Question 23.** Please describe the mechanisms for enforcing the policy, technical, and legal requirements of your Designated Network on your Participants, including for onboarding entities to the Designated Network. Please describe how you will evaluate organizations to decide that they have the necessary technical, legal, and operational capability to participate in your Designated Network.

**Question 24.** Please describe the structure, resources, and controls that will be used to satisfy the privacy and security requirements of the Common Agreement and related SOPs, as well as evidence of compliance as specified in related SOPs.

**Question 25.** Please provide a description of (i) the process for providing oversight and control of the technical framework that enables the exchange of Required Information through its Designated Network (the “Technical Framework Process”); and (ii) how the role of the Designated Network Governance Body meets the participation requirement in Part 4, Section I.4(g)(i) of the Onboarding and Designation SOP. Please provide documentation of the Technical Framework Process. If you do not have such documentation, then in your project plan (Part VI of this application), you must explain the steps you are taking to create such documentation for implementation and operationalization and the timelines for doing so within twelve (12) calendar months of application acceptance.

**Question 26.** Please provide a description of (i) the process for resolving the following types of disputes: (1) among Participants and Subparticipants in the Designated Network; (2) between a Participant or Subparticipant and Signatory; and (3) between Signatory and another QHIN (the “Dispute Resolution Process”); and (ii) how the role of the Designated Network Governance Body meets the participation requirements in Part 4, Section I.4(g)(ii) of the Onboarding and Designation SOP. Please provide documentation of the Dispute Resolution Process. If you do not have such documentation, then in your project plan (Part VI of this application), you must explain the steps you are taking to create such documentation for implementation and operationalization and the timelines for doing so within twelve (12) calendar months of application acceptance.

**Question 27.** Are you or, if applicable, Parent’s Current Network, currently suspended from participation in any Health Information Network or have you or, if applicable, Parent’s Current Network, been terminated from any Health Information Network in the twenty-four (24) months preceding submission of this application? If so, please provide a detailed description of the circumstances related to such suspension or termination.



**Question 28.** Please provide a description of (i) the process for responding to any potential or actual data breach involving your Designated Network (the “Data Breach Response Process”); and (ii) how the role of the Designated Network Governance Body meets the participation requirements in Part 4, Section I.4(g)(iii) of the Onboarding and Designation SOP. Please provide documentation of the Data Breach Response Process. If you do not have such documentation, then in your project plan (Part VI of this application), you must explain the steps you are taking to create such documentation for implementation and operationalization and the timelines for doing so within twelve (12) calendar months of application acceptance.

**Question 29.** Please provide a description of (i) the process for imposing sanctions on any Designated Network Participant that violates the rules of your Designated Network, including the suspension or termination of said Participant’s ability to use the Designated Network in the event of suspension or termination by the RCE (the “Participant Enforcement Process”); and (ii) how the role of the Designated Network Governance Body meets the participation requirements in Part 4, Section I.4(g)(iv) of the Onboarding and Designation SOP. Please provide documentation of the Participant Enforcement Process. If you do not have such documentation, then in your project plan (Part VI of this application), you must explain the steps you are taking to create such documentation for implementation and operationalization and the timelines for doing so within twelve (12) calendar months of application acceptance.

**Question 30.** Please provide a description of (i) the process for making changes to the Technical Framework Process, Dispute Resolution Process, Data Breach Response Process, Participant Enforcement Process and Change Management Process (the “Change Management Process”); and (ii) how the role of the Designated Network Governance Body meets the participation requirements in Part 4, Section I.4(g)(v) of the Onboarding and Designation SOP. Please provide documentation of the Change Management Process. If you do not have such documentation, then in your project plan (Part VI of this application), you must explain the steps you are taking to create such documentation for implementation and operationalization and the timelines for doing so within twelve (12) calendar months of application acceptance.

**Question 31.** If you use a third-party technology vendor in connection with your Designated Network and such third-party vendor will have access to TEFCIA Information, please provide a list of such vendors. For all such vendors, please confirm that you have a valid and enforceable written agreement that requires, at a minimum, that the third-party technology vendor: (1) comply with Applicable Law; (2) protect the privacy and security of any TEFCIA Information (TI) to which the third-party technology vendor has access; (3) inform you of anything that meets the definition of a TEFCIA Security Incident under the Common Agreement; and (4) reasonably cooperate with you on issues related to your performance as a QHIN. If the agreement with your third-party technology vendor is not a Business Associate Agreement, you hereby confirm that the agreement requires comparable levels of privacy and security protections that a Business Associate Agreement would provide. If your Parent is providing the technology for the Designated Network, then Parent will be considered a third-party technology vendor for purposes of this question.

**Question 32.** Provide information that indicates the financial health of the organization.

**Note:** You must submit the following information at a minimum:

- (1) \*A copy of your most recent audited financials, which must have been signed by the auditor no more than 12 months prior to the date of submission of your application.
- (2) An attestation that (a) your organization is financially stable and has the fiscal resources to support operating as a QHIN without placing a financial strain on the rest of the organization; (b) your organization has available a minimum amount of cash, cash equivalents, or availability under borrowing arrangements through a commercial lender (i.e., a line of credit) equal to six (6) months of operating reserves; and (c) your organization has completed all mandatory filings with the Internal Revenue Service and Securities and Exchange Commission. This attestation must be signed by an individual who is an officer of the organization and who has the authority to make the attestation on behalf of your organization.
- (3) If you are relying on your Parent's Historic Experience or submitting your Parent's audited financials in Question 32(1), then, in addition to the attestation in Section 32(2), you must also submit an attestation from Parent that (a) Parent is financially stable and has the fiscal resources to support your organization operating as a QHIN; (b) Parent has available a minimum amount of cash, cash equivalents, or availability under borrowing arrangements through a commercial lender (i.e., a line of credit) equal to six (6) months of operating reserves for Parent; and (c) Parent has completed all mandatory filings with the Internal Revenue Service and Securities and Exchange Commission. This attestation must be signed by an individual who is an officer of the Parent and who has the authority to make the attestation on behalf of Parent.

**Question 33.** Please provide proof of insurance for the following types of coverage in (a) and (b) below in an amount of at least \$2,000,000 per incident and \$5,000,000 in the aggregate for each type of coverage. For each of the following types of coverage, you can provide evidence as follows: (1) a certificate of insurance demonstrating that you have current insurance coverage as a primary or named insured in at least the required amounts; (2) that you have applied for such coverage, including an attestation that you will obtain the coverage prior to being Designated (please provide more details in the project plan in Part VI of this application); (3) available internal funds, separate from those attested to in Question #32, to self-insure in such amounts; or (4) a combination of (1) – (3).

- a. General liability coverage;
- b. Cyber risk/technology coverage including errors and omissions.

**Question 34.** Please submit ANY data sharing agreements, operating policies and procedures, and other legal agreements and related documents that will govern the operation of the Designated Network and have not already been submitted as part of this application, if available.

*Please note that if you do not submit a data sharing agreement that includes the Required Flow-Down(s), the RCE will follow up with you prior to Designation to ensure that Required Flow-Down(s) in the Common Agreement will be agreed to by your Participants by requesting a copy of your standard QHIN-Participant Agreement. The RCE will not accept documents whereby the Participant simply agrees to comply with all terms set forth in the Common Agreement that are applicable to Participants without additional specificity*

regarding such terms. See "[INFORMATIONAL RESOURCE FOR FLOWING DOWN COMMON AGREEMENT PROVISIONS INTO FRAMEWORK AGREEMENTS](#)" for additional information.

## Part V – QHIN Privacy and Security Requirements

**Question 35.** Please check whether you are one of the following, as defined by 45 CFR §164.103:

- Covered Entity
- Business Associate
- Hybrid entity
- None of the above (please explain)

**Question 36.** Please provide evidence that you have been certified under a nationally recognized security framework from the list of pre-approved certifications/certifying bodies developed by the RCE, as required by the QHIN Security Requirements for the Protection of TI SOP. This may be a certificate, a letter of certification issued by the body, or other document. The list of approved certifications is available at <https://rce.sequoiaproject.org/qhin-cybersecurity-certification/>. If you do not have evidence of certification at the time of application, please address in the project plan required in Part VI in this application how you will fulfill this obligation prior to Designation.

**Question 37.** Provide evidence that your organization has a Chief Information Security Officer (CISO) with executive-level responsibility for overseeing the security of the network. This may be an appointment letter naming a specific individual and listing roles/responsibilities of the CISO function with respect to activities performed under the Common Agreement.

**Question 38.** For any current network that you operate, please provide detailed information about any Health Insurance Portability and Accountability Act (HIPAA)-reportable breaches of electronic protected health information (ePHI) over the past three (3) years. Include the nature of the breach, the number of individuals affected by the breach, the remediation measures undertaken by your organization and the amount of any fines or penalties. If you are relying upon your Parent's Current Network to meet the Historic Experience requirement, then you must provide the requested information related to any such HIPAA-reportable breaches occurring in connection with your Parent's Current Network.

**Question 39.** For the Designated Network, submit a copy of the executive summary of your most recent third-party security vulnerability assessment and technical audit, consistent with requirements of Section 4.2. of the SOP: QHIN Security Requirements for the Protection of TI, and attest it was conducted by an independent third party. If you do not have evidence of your most recent third-party security vulnerability assessment at the time of application, please address in the project plan required in Part VI of this application how you will fulfill this obligation prior to conformance testing.

**Question 40.** For the Designated Network, submit a copy of the most recent security Plan of Action and Milestones (POA&M) (or equivalent) showing appropriate mitigation efforts in response to moderate and high findings of the most recent security assessment and/or technical audit. If you do not have evidence

of the most recent security POA&M (or equivalent) at the time of application, please address in the project plan required in Part VI of this application how you will fulfill this obligation prior to conformance testing.

**Question 41.** At the time of application, submit a copy or detailed summary of your organization's HIPAA security risk analysis consistent with §164.308(a)(1)(ii)(A). The risk analysis must be for your organization, not your Parent. If a detailed summary is submitted, it must include a description of the process by which the security risk analysis was conducted, the outcomes from the risk analysis, any concerns that were identified and any mitigation measures implemented to address such concerns.

**Question 42.** For the Designated Network, submit a copy of the most recent penetration testing summary report and verify that testing was conducted by an independent third party. If you do not have evidence of the most recent penetration testing summary report at the time of application, please address in the project plan required in Part VI of this application how you will fulfill this obligation prior to conformance testing.

**Question 43.** Provide a copy of your written privacy policy and demonstrate how it is publicly available (e.g., provide public URL for where it is posted).

## **Part VI – Project Plan**

**Question 44.** Please provide a separate detailed project plan describing the steps your organization plans to take to achieve all applicable requirements of the Common Agreement and the QTF that your organization does not currently satisfy, along with a gap analysis and milestone dates to complete the steps within the required Onboarding period. The project plan should also include plans to ensure that Required Flow-Down(s) in the Common Agreement have been agreed to by the QHIN's Participants.

Any question or gap provided in this project plan should reference the specific gap (by application question number and/or requirement) related to the plan for completion.

## **Part VII - Background References**

The RCE will contact three (3) references from three (3) separate organizations who can corroborate that your solution is capable of satisfying the QHIN technical requirements. References must include (1) at least one independent organization currently using your network connectivity services (or applicable Parent's Current Network); and (2) at least one member of your network governing body (or applicable Parent's Current Network governing body). If you use a third-party technology vendor to provide/manage network connectivity services, the third reference must be such vendor. If you do not use a third-party technology vendor to provide/manage network connectivity services, then the third reference must be an additional reference satisfying (1) or (2) above. If your Parent is your third-party technology vendor, then you must provide an additional fourth reference satisfying (1) or (2) above. The reference contact for the Parent cannot be a Point of Contact from Question 1. Your application will not be considered

further until the references you provide have been interviewed. Please ensure your references are aware that the RCE will be contacting them and that they are willing and able to respond in a timely fashion.

**Question 45.** Please provide references using the tables below. References may be asked to:

- Confirm their business relationship with you
- Confirm your ability to reasonably support each required Exchange Purpose
- Confirm your ability to support a central hub for bi-directional data transfer
- Describe your approach to making the terms of your network legally binding on network members
- Describe their specific use of your product or service

Note: QHIN applicants are required to provide at least references and may use the same reference to address multiple items detailed above.

<b>Organization Name:</b>	
<b>Location (City, State):</b>	
<b>Contact Name:</b>	
<b>Title:</b>	
<b>Phone:</b>	
<b>Email:</b>	

<b>Organization Name:</b>	
<b>Location (City, State):</b>	
<b>Contact Name:</b>	
<b>Title:</b>	
<b>Phone:</b>	
<b>Email:</b>	

<b>Organization Name:</b>	
<b>Location (City, State):</b>	
<b>Contact Name:</b>	
<b>Title:</b>	
<b>Phone:</b>	
<b>Email:</b>	

<b>Organization Name:</b>	
<b>Location (City, State):</b>	
<b>Contact Name:</b>	
<b>Title:</b>	
<b>Phone:</b>	
<b>Email:</b>	

### **Part VIII – Attestation**

**Attestation:** By submitting this application, the applicant represents and warrants that the information provided herein is accurate and complete, to the best of its knowledge. Applicant understands and agrees that the RCE is expressly relying upon the information in this application, including all attachments and documents incorporated by reference to evaluate whether the applicant meets the criteria to be Designated. If the RCE determines that material information in this application is not accurate or complete, the RCE may refuse to Designate the applicant, withdraw the applicant from Onboarding, and terminate the Common Agreement that the applicant is submitting with this application in accordance with 16.2.2 of the Common Agreement.

If there are requirements in the QHIN Onboarding & Designation SOP that are not required to complete this application, but are required for an applicant to be Designated, those requirements must be addressed during the Onboarding and Designation process.

By typing your name below and clicking “Submit,” you are electronically signing this application and, in doing so, you represent and warrant that you are authorized to submit this application on behalf of the applicant and that you have the authority to legally bind the applicant to the attestation set forth above.

[Full Name]

[Title]

[Date]

[Submit Button]

## Part IX – Version History

Version #	Revision Date	Question #(s) or Section of Update
1.0	August 31, 2022	N/A
1.1	September 30, 2022	<ul style="list-style-type: none"><li>• Question 11c</li><li>• Question 20</li><li>• Question 22</li><li>• Question 32.1</li><li>• Question 33</li><li>• Question 36</li><li>• Question 44</li><li>• Part IX</li></ul>