

DRAFT: Standard Operating Procedure (SOP): Consequences for QHIN Non-Compliance

Version 1.0

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Applicability: QHINs

1. COMMON AGREEMENT REFERENCES

The requirements set forth in this Standard Operating Procedure (SOP) are for implementation, in addition to the terms and conditions found in the applicable Framework Agreement, the Qualified Health Information Network® (QHIN™) Technical Framework (QTF), and applicable SOPs. The Trusted Exchange Framework and Common Agreement™ (TEFCA™) Cross Reference Resource identifies which SOPs provide additional detail on specific references from the Common Agreement.

All documents cited in this SOP can be found on the Recognized Coordinating Entity® (RCE™) [website](#).

2. DEFINITIONS

Select terms used throughout this SOP are defined in this Section for ease of reference. All capitalized terms used in this SOP have the respective meanings assigned to such terms in the TEFCA Glossary.

Investigated QHIN: A QHIN that is being investigated by the RCE for potential non-compliance with the Common Agreement, the SOPs, and the QTF.

3. PURPOSE

QHINs are required to comply with the Common Agreement, the SOPs, and the QTF. This SOP provides information about remediation strategies and consequences that the RCE (with ASTP/ONC's prior authorization, where applicable) may impose on a QHIN that is not compliant with the Common Agreement, SOPs, or the QTF.

4. PROCEDURE

1. If, following an investigation, the RCE determines that an Investigated QHIN failed to comply with its obligations under the Common Agreement, SOPs, or QTF, which may include the Investigated QHIN's failure to ensure that its Participants or Subparticipants comply with their obligations under the ToP, SOPs, or QTF, the RCE will determine

appropriate consequences. Consequences may only include the following or any combination thereof:

- a. Non-disciplinary feedback where issues reflect misunderstanding or ambiguity rather than disregard of the applicable requirements.
 - b. Written warning to the Investigated QHIN describing the non-compliance.
 - c. Mandatory remediation plan with definitive timelines pursuant to which the Investigated QHIN will correct the non-compliant behavior.
 - d. Enhanced monitoring and auditing of the Investigated QHIN by the RCE.
 - e. Enhanced reporting by the Investigated QHIN to the RCE.
 - f. The Investigated QHIN's dissemination of a notice prepared by the RCE to the Investigated QHIN's Participants or Subparticipants describing the Investigated QHIN's non-compliance.
 - g. Prohibition on the Investigated QHIN participating in or attending any meeting of any TECCA workgroup, workstream, subcommittee, Advisory Group or similar group.
 - h. Prohibition on the Investigated QHIN attending or voting in any TECCA Governance Body until the remediation plan is successfully completed.
 - i. Prohibition on adding new Participant, Subparticipant, or child entries to the RCE Directory Service until the remediation plan is successfully completed.
 - j. Suspension of the QHIN's and/or its Participant's or Subparticipant's ability to send Queries for all or specific XP Codes until the remediation plan is successfully completed.
 - k. Suspension of the QHIN's ability to participate in TECCA Exchange until the remediation plan is successfully completed.
 - l. Termination of the QHIN's participation in TECCA.
2. In determining the appropriate consequences to impose on the Investigated QHIN to effectively address the non-compliance, the RCE will identify the consequence(s) that are proportionate to the nature, severity, and impact of the non-compliance by considering the following factors:

- a. Nature and severity of the non-compliance.
 - b. Whether there was actual or potential harm to individuals or other QHINs, Participants, or Subparticipants as a result of the non-compliance.
 - c. Whether the non-compliance was intentional, reckless, or negligent.
 - d. Whether the non-compliance was promptly remediated.
 - e. The impact of the consequence(s) on the Investigated QHIN’s Participants and Subparticipants that were not involved in the non-compliance and any resulting disruption in TEFCA Exchange activities.
 - f. The Investigated QHIN’s history of prior violations.
 - g. The Investigated QHIN’s degree of cooperation with the investigation.
3. The RCE may impose the consequences set forth in Section 4.1(a) – (i) for any non-compliance that (i) begins after the Effective Date of this SOP, or (ii) started prior to the effective date of this SOP and continues to persist for two (2) weeks after the effective date of this SOP.

5. VERSION HISTORY

Version	Revision Date	Section #(s) of Update
Version 1.0	_____, 2026	All sections