



Behavioral Health Data Sharing Principles

November 9, 2017

1. A trusted community of Physical and Behavioral Health Providers¹ shall be established to foster data sharing on behalf of the consumers they serve.
2. HSX and its Participants agree to share data on behalf of behavioral health consumers in accordance with applicable state and federal laws.
 - a. HSX shall adhere to the more restrictive law when there is a difference between state and federal laws.
 - b. Participants shall follow the laws governing data sharing from the state in which they provide clinical services to the patients.
3. HSX Participants make a commitment to share clinically relevant information to enhance the quality of treatment provided to behavioral health consumers.
4. HSX shall host data in a HIPAA compliant database with necessary security safeguards and controls.
5. Each HSX Participant shall be responsible for ensuring that their own Authorized Users have access and disclose behavioral health data in accordance with their appropriate professional licensure and roles, Applicable Law, and applicable privacy policies.
6. HSX shall maintain a mechanism for confirming successful delivery of data to and from behavioral health entities. HSX will conduct audits to monitor compliance with applicable HSX Policies.
7. The HSX Participant is responsible for ensuring any and all authorizations or consents required by Applicable Law are obtained from Participant's patients or members before any mental health or 42 CFR Part 2 Data is disclosed.
8. The HSX Participant is responsible for promoting consumer awareness about health information exchange and educating consumers about their rights to have data accessible through the exchange.

¹“Behavioral Health Providers” shall mean licensed facilities providing mental health services defined by the PA Mental Health Procedures Act, 50 P.S. 7101 et seq., and/or 42 CFR Part 2 programs

9. HSX shall maintain policies and procedures that ensure compliance with the requirements for consent as per 42 CFR Part 2 regulations and/or licensed state drug and alcohol agencies.
 - a. HSX shall ensure that there is a mechanism to account for and provide a “List of Disclosures” in accordance with 42 CFR Part 2 regulations.
 - b. HSX shall include a notice regarding the prohibition of re-disclosure with disclosures of data from 42 CFR Part 2 facilities.

10. Based on HSX’s role based access criteria, HSX Participants are able to access data for treatment and/or in emergency circumstances.
 - a. HSX shall ONLY disclose data from 42 CFR Part 2 entities to HSX Participants who have treating provider relationships with the patient whose information is being disclosed.