

# EHEALTH EXCHANGE TEFCA CHANGE MANAGEMENT PROTOCOL

## Scope and Authority

This Protocol addresses the organization and operation of the QHIN Governance Committee (QGC) which will perform the functions of the eHealth Exchange QHIN Designated Network Governing Body (DNGB) as that term is defined in the QHIN Onboarding and Designation SOP. The eHealth Exchange Coordinating Committee, which is the governing body of the eHealth Exchange, has established the QGC as a standing subcommittee with the authority specified in the Onboarding and Designation SOP, the eHealth Exchange QHIN TEFCA Terms and Conditions and this Protocol.

In accordance with eHealth Exchange Operating Policy & Procedures (OPP) #10 (Participant Opt-Out of New Data Sharing Agreements), this protocol applies to all Participants that do not opt-out of the eHealth Exchange QHIN and are thus bound by the TEFCA Terms and Conditions.

## Purpose

The primary purpose of the QGC is to enhance trust relationships between the eHealth Exchange QHIN Participants by fulfilling certain responsibilities described in the eHealth Exchange TEFCA Terms and Conditions. The RCE recognizes that a structure is needed to assure these critical responsibilities are successfully implemented between QHINs, their QHIN Participants and Subparticipants.

The QHIN Governance Committee will have responsibility, oversight, control, and final decision-making authority over each of the Governance Functions: (i) Technical framework of the Designated Network; (ii) The resolution of disputes regarding use of eHealth Exchange QHIN; (iii) eHealth Exchange QHIN Security Incident(s); (iv) enforcement of eHealth Exchange QHIN Participant compliance with all flow-down requirements, and: (v) change management to implement changes for the eHealth Exchange QHIN.

The purpose of this protocol is to set forth the procedure by which the QHIN Governance Committee will fulfill these responsibilities.

## Protocol

The QHIN Governance Committee shall establish and maintain reasonable Protocols. Protocols are those documents that describe the management, operation, and participation in the eHealth Exchange QHIN network. As may become necessary for the proper function of the eHealth Exchange QHIN network, the QHIN Governance Committee may establish new Protocols, and TEFCA Materials, or it may amend, repeal, and/or replace any existing Protocols and TEFCA Materials consistent with this Protocol and the TEFCA Terms and Conditions.

# EHEALTH EXCHANGE TEFCA CHANGE MANAGEMENT PROTOCOL

This protocol addresses the requirements of notifying eHealth Exchange QHIN Participants of changes to any TEFCA requirements and eHealth Exchange TEFCA Materials to remain in compliance with TEFCA requirements to exchange Message Content on the eHealth Exchange QHIN Network.

The TEFCA requirements include, but are not limited to, the TEFCA Protocols as driven by the Common Agreement (non-discretionary changes).

The TEFCA Materials include, but are not limited to, the TEFCA Terms & Conditions, TEFCA Supplements and TEFCA Protocols (discretionary changes).

The QHIN Governance Committee or its Designee Healthway, Inc. (d/b/a/ "The eHealth Exchange" and its "eHealth Exchange QHIN support staff") will conduct periodic reviews to evaluate and identify improvements to the TEFCA Change Management process.

## Procedure

- A. All TEFCA Materials shall be maintained in an accessible electronic and printable format. The QHIN Governance Committee designates Healthway, Inc. (d/b/a/ "The eHealth Exchange QHIN" and its "eHealth Exchange QHIN support staff") to maintain the TEFCA Materials in a location that is accessible to all eHealth Exchange QHIN Participants, Members of the QHIN Governance Committee, and any other stakeholders that the QHIN Governance Committee determines requires access.

A workgroup is to be appointed by the QHIN Governance Committee to review all TEFCA Materials at least every three (3) years using a standard template for consistency, readability and applicability against current standards and processes.

All current TEFCA Materials as well as originals of all amended, repealed and replaced TEFCA Materials shall be maintained for the duration of their usefulness as determined by the QHIN Governance Committee.

- B. The QHIN Governance Committee will be responsible for implementing and overseeing the Change Management Process for changes to the TEFCA Materials. The Change Management Process that will be administered by the QHIN Governance Committee will generally take one of two tracks, depending upon whether a change is driven by the Common Agreement change management process (i.e., a non-discretionary change) or the change is necessary to the TEFCA Materials to remain in compliance with TEFCA requirements to exchange Message Content on the eHealth Exchange QHIN Network (i.e., discretionary change).

## EHEALTH EXCHANGE TEFCA CHANGE MANAGEMENT PROTOCOL

- C. TEFCA requirements changes (non-discretionary change)
- i. These changes are established at the RCE-level and the Governance Committee is responsible to communicate these changes to eHealth Exchange QHIN Participants.
    - (1) eHealth Exchange QHIN Participants are required to communicate these changes to their Subparticipants that exchange TEFCA Information via the eHealth Exchange QHIN.
    - (2) Examples include: (1) a new requirement and its applicability to QHIN Participants and their Subparticipants; (2) the effective date of a SOP; (3) the required compliance date (if different than the effective date); and (4) where to locate a copy of the new/revised SOP (e.g., a URL to the SOP on the RCE website).
- D. TEFCA Materials changes (discretionary change)
- i. The QHIN Governance Committee will also implement and oversee the process for discretionary changes to the TEFCA Materials. This process will include making proposed changes available to eHealth Exchange QHIN Participants, accepting comments for the eHealth Exchange QHIN Participants to proposed changes [1], and providing a period in which eHealth Exchange Participants may object to such changes [2].
    - (1) [1], In order to ensure a manageable comment process, the QHIN Governance Committee will consider comments made by Subparticipants on changes having downstream effect; however, eHealth Exchange QHIN Participants will be responsible for collecting, consolidating, and submitting comments on behalf of their Subparticipants to the QHIN Governance Committee.
    - (2) [2], Only eHealth Exchange QHIN Participants will be permitted to participate in the objection period but, in doing so, are encouraged to consider the downstream impact of the change and any feedback they receive from their respective Subparticipants regarding the proposed change.
  - ii. Submission of Proposed New, Amended, Repealed, or Replaced TEFCA Materials
    - (1) Any eHealth Exchange QHIN Participant may submit in writing to the QHIN Governance Committee a request for the development of new TEFCA Materials, or a request for the amendment or repeal of an existing TEFCA Material document. Any Member of the QHIN Governance Committee may also bring forth any concern or question regarding the TEFCA Materials. All such requests shall identify the (1) the TEFCA Material document that is subject of the requested change (if any); (2) the type of TEFCA Material document sought (if it is a development request); (3) a thorough description of why the request is necessary; and (4) an analysis of the expected impact of adopting the new TEFCA Material document or modifying/repealing the existing TEFCA Material document.
  - iii. Consideration of Proposed New, Amended, Repealed, or Replaced TEFCA Materials
    - (1) Except as otherwise provided in the TEFCA Terms and Conditions, the QHIN Governance Committee will consider any requests that meet the submission

## **EHEALTH EXCHANGE TEFCA CHANGE MANAGEMENT PROTOCOL**

criteria set forth above at its next regularly scheduled meeting following receipt of such request. The QHIN Governance Committee will:

- a) Prioritize requests;
  - b) Consider the merits of the request, as well as the impact to eHealth Exchange QHIN Participants, Participant Users and Individuals; and
  - c) Communicate actions taken with the requestor.
- (2) eHealth Exchange QHIN Participant Comment Period.
- a) Prior to approving any new, amended, repealed or replaced TEFCA Material document, the QHIN Governance Committee may solicit and consider comments from the eHealth Exchange QHIN Participants on the new, amended, repealed or replaced TEFCA Material document.
  - d) To promote openness and transparency, the QHIN Governance Committee may post proposed changes to the TEFCA Materials to a publicly accessible location.
- (3) Objection Period.
- a) Following the QHIN Governance Committee's approval of the new, amended, repealed or replaced TEFCA Material document, eHealth Exchange QHIN Participants shall be given thirty (30) calendar days to review the approved TEFCA Material document and register an objection if the eHealth Exchange QHIN Participants believes the new, amended, repealed or replaced TEFCA Material document will have a significant adverse operational or financial impact on the eHealth Exchange QHIN Participant. Such objection shall be submitted to the QHIN Governance Committee and contain a summary of the eHealth Exchange QHIN Participant's reasons for the objection.
- (4) Approval of Changes to the TEFCA Materials
- a) Less Than One-Third of eHealth Exchange QHIN Participants Object.
    - i. If the QHIN Governance Committee receives objections from fewer than one-third of the eHealth Exchange QHIN Participants during the thirty (30) calendar day objection period, the new, amended, repealed or replaced TEFCA Material document shall go into effect as approved by the QHIN Governance Committee and on the date identified by the QHIN Governance Committee, unless the QHIN Governance Committee withdraws the new, amended, repealed or replaced TEFCA Material document prior to such date. The effective date identified by the QHIN Governance Committee may not be any earlier than the end of the thirty (30) day calendar objection period.
  - b) More Than One-Third of eHealth Exchange QHIN Participants Object.
    - i. If the QHIN Governance Committee receives objections from one-third or more of the eHealth Exchange QHIN Participants

## EHEALTH EXCHANGE TEFCA CHANGE MANAGEMENT PROTOCOL

during such thirty (30) calendar day period, the QHIN Governance Committee shall review the new, amended, repealed or replaced TEFCA Material document in light of the objections and make a determination as to how to modify the new, amended, repealed or replaced TEFCA Material document, if at all. Once the QHIN Governance Committee finalizes its determination, it shall communicate this determination to the eHealth Exchange QHIN Participants and seek their approval. At least two-thirds of the Non-Governmental eHealth Exchange QHIN Participants and at least two-thirds of any eHealth Exchange QHIN Participants that assert themselves to eHealth Exchange staff as Governmental must approve the new, amended, repealed or replaced TEFCA Material document for them to become effective.

- (5) Implementation
- a) The QHIN Governance Committee shall provide Notice of new, amended, repealed or replaced TEFCA Materials at least thirty (30) calendar days prior to the effective date of such new, amended, repealed or replaced TEFCA Material document. This thirty (30) calendar day period may run concurrently with the thirty (30) calendar day objection period.
  - b) Within fifteen (15) calendar days of receiving Notice of the new, amended, repealed or replaced TEFCA Material document, an eHealth Exchange QHIN Participant may request that the QHIN Governance Committee delay implementation of such new, amended, repealed or replaced TEFCA Material document based on good cause.
  - c) The QHIN Governance Committee shall respond to a request to delay implementation within seven (7) calendar days of receiving the request.

### Definitions

All capitalized terms, if not defined herein, shall have the same meaning as set forth in the TEFCA Terms or the TEFCA Protocols.

### References

“TEFCA Terms and Conditions”

- Section 5.2, TEFCA Change Management

“Common Agreement for Nationwide Health Information Interoperability Version 1”

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8300 Boone Blvd., Suite 500, Vienna, Virginia, 22182

# EHEALTH EXCHANGE TEFCA CHANGE MANAGEMENT PROTOCOL

- Section 5, Change Management Framework

## Related Protocols

None

Date	Author	Comments
November 2022	Pat Russell, Steve Gravely	New Protocol for eHealth Exchange QHIN