cca commonwealth care *alliance*®

A Guide to Accessing Your Health Information:

This guide explains the rules for accessing and sharing your data. It covers your rights and risks when sharing your health data as a Commonwealth Care Alliance (CCA) member. Learn how to safely share your CCA data with trusted apps.

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What is Interoperability?

New rules for accessing and sharing your data

In May 2020, the Federal government published **the Interoperability and Patient Access** rule. This rule allows patients to access their health information more easily. This includes records from health plans, such as a person's claims, encounter, and clinical information.

You can choose how you want to share and access your health data. It might be through a third-party application (app). This regulation will also make it easier to take your health data along with you as you move between health plans.

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Interoperability
The ability of different information systems, devices, and applications to access, exchange, integrate, and cooperatively use data in a coordinated manner.

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Commonwealth Care Alliance (CCA) follows this rule and is committed to ensuring our members can easily access and share their health information. Specifically, we are making it possible for you to access your health information via third-party apps.

The Interoperability rule applies to:

- Medicare Advantage organization and Medicaid managed care plans

- State Medicaid agencies

If you are a CCA member and you consent, we will make your CCA health data available to third-party apps within four 30 business days of granting your consent.

You can also share your health information with other health plans. CCA will share your health data within 30 days of receiving your request.

Learn how to give access to your CCA health data in the How to Manage Your Data Sharing section of this guide.

What to Know About Third-Party Apps

As a first step, it is important to understand what laws may impact an app. Most third-party apps are not covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Generally, once health information has been sent to an app as directed by the user, it is no longer protected by HIPAA and CCA would not be responsible for the privacy and security of your protected health information (PHI).

This means, if you authorize CCA to share your healthcare data, CCA can't make the app delete your data or put limits on its use. CCA cannot hold app developers accountable for violating their own privacy policies. **Think carefully before sharing your healthcare data.**

Most third-party apps fall under the protections of the Federal Trade Commission (FTC) and the FTC Act. The FTC Act protects against deceptive acts. For example, if an app shares personal data without permission.

The FTC provides information about mobile app privacy and security here: www.consumer.ftc.gov/articles/0018-understanding-mobile-apps

If you think an app used or shared your information inappropriately, you can file a complaint with the FTC: https://reportfraud.ftc.gov/

Third-party apps must register with CCA

To share your data with a third-party app, it must be registered with CCA. App developers can begin the registration process through the Developer Portal. From the portal, developers can access information like API (application programming interface) documentation.

CCA does not evaluate third-party app security or privacy practices when they register with us. You must review the app's privacy policy carefully. This will help you understand the app's data collection practices. Apps are required to disclose how they will use your data in their privacy policy or in their terms and conditions.

Review Your Rights and Risks for things to consider before sharing your data.

Your Rights and Risks

As a CCA member, you have rights and risks when sharing your health data:

Your right to share data with third-party apps of your choice

You have the right to direct CCA to share your health data with a third-party app of your choice. To start sharing your health data with an app, visit the **Share My CCA Data site** at https://memberconsent.commonwealthcarealliance.org/. Follow the instructions in the How to Manage Your Data Sharing section of this Guide. CCA will make your health data available through the app within four 30 business days of granting your consent.

Your right to revoke your health data at any time

You can stop an app from accessing your health data at any time, for any reason. From the Application Dashboard in the Share My CCA Data site, you can revoke access. Learn more about how to revoke access in the How to Manage Your Data Sharing section of this Guide.

Your right to share all or none of your sensitive health information

The **Interoperability and Patient Access** rule does not change the obligations of CCA to follow federal and state regulations and law. This includes regulations that govern sensitive health information such as your medical information that pertains to abortion, AIDS/ARC, alcohol & substance use, behavioral health, genetic testing, domestic violence, HIV, physical abuse, reproductive health, and sexually transmitted infections. You can authorize the direct transfer of this sensitive data to a recipient of your choice. The sensitive data is transmitted through an API. Please note that when your information is transmitted, you are agreeing to transmit up to five years of your entire health history, including sensitive diagnoses, medications, and conditions. There is no option to select categories of data to limit what is shared.

If you do not want to transmit all of your sensitive information, consider using the release of information (ROI) form to transmit select records to a third party in oral or written form by fax, email, or mail. Visit www.commonwealthcarealliance.org/interoperability or call CCA Member Services for the ROI form.

Your right to share your health data with other health plans

You have the right to direct CCA to share your health data with another health plan. This right extends up to five years after your coverage ends with CCA.

Once you allow sharing of your health data with another health plan, we are required to send your available data from your effective date with CCA and for up to five years after coverage ends. If you became a CCA member before January 1, 2016, we would send data beginning January 1, 2016, up to five years from when your coverage ended.

When you ask us to send your data to another health plan, CCA will also include health data that was received from your prior health plan if it was shared.

To start sharing your health data with a health plan, visit the Share My CCA Data site. And follow the instructions in the How to Manage Your Data Sharing section of this Guide. CCA will share your health data within 30 days of receiving your request.

Your right to access past health data

You can ask your former health plan to send your health records to CCA. They will send us any records they have from January 1, 2016, up to the previous five years you were insured by them.

Your risk of sharing your health data with other health plans

When you ask us to share your data with other health plans, make sure that your request is only for the intended health plans of your choice. CCA will confirm the health plan before sending your information. CCA cannot track the maintenance, usage, or disclosure of your information once shared.

Your risk of sharing health data to third parties

It is important to us that all CCA members know how to protect the privacy and security of their health information. When selecting an app, you should know how your health data will be used. You should also know the app's security and privacy practices.

Once your health information is sent to third-party apps, it is no longer protected by HIPAA. CCA cannot track or control how third-party apps store, manage, or consume your information when you ask us to share it with others.

Your risk of secondary usage of data by third-party apps

You should look for an easy-to-read privacy policy that explains how the app will use your data. If an app does not have a privacy policy, CCA recommends you avoid them. Before authorizing an app to access your health data, think about the following:

- What health data will this app collect? Will this app collect non-health data from my device, such as my location?

- Will my data be stored in a de-identified or anonymized form?

- How will this app use my data?

    o Will this app disclose my data to other third parties?

    o Will this app sell my data for any reason, such as advertising or research?

- Will this app share my data for any reason? If so, with whom? For what purpose?

- How can I limit this app's use and disclosure of my data?

- What security measures does this app use to protect my data?

- Could sharing my data with this app impact others, such as my family members?

- How does this app inform users of changes that could affect its privacy practices?

If the app's privacy policy does not answer these questions, reconsider using it. Your health information is important. Look for apps with strong privacy and security standards to protect it.

Your risk of threat actors and scams

Always use caution when requesting health data from prior health plans and when sending your health data to others. Be aware of unauthorized persons who may try to get your data. We call these people threat actors.

Threat actors pretend to be from a known health plan or business and will try to intercept your health data. Their emails, attachments, and website links may look genuine and close to real ones. But it may be a phishing scam if they ask you to:

- Provide your credentials

- Download files or attachments

- Visit malicious websites

Scams can also try to trick users into making security mistakes or giving away sensitive information. Scammers manipulate feelings, such as curiosity or fear, to carry out schemes and draw people into their traps. Stay alert if you feel alarmed by an email or an offer displayed on a website. Being alert can help you protect yourself against most attacks. Follow these tips:

- Don't open emails and attachments from suspicious sources

- Be wary of tempting offers

- Keep your antivirus/antimalware software updated

- Use multifactor authentication

For more information on how to protect yourself from scams or if you think you may have been a victim to a scam, please visit the Federal Trade Commission (FTC) website: www.consumer.ftc.gov/articles/spot-health-insurance-scams

How to Manage your CCA Data Sharing

Follow the instructions provided below to share your CCA health data with third-party applications (apps) and other health plans.

How to send your CCA health data to a third-party app

Use the Share My CCA Data site to view a list of apps registered with CCA. From here, you can authorize CCA to share the health data we keep for you. Follow the instructions below. If you do not see the app you are looking for, ask the app developers to register using the [CCA Developer Portal](#).

We cannot provide your health data to an app that is not registered.

Instructions for first-time users

1. Visit https://memberconsent.commonwealthcarealliance.org/ to access the Share My CCA Data site.

2. Click the red **Continue** button to proceed.

3. Verify your information: Enter your first name, last name, date of birth, and the number on your CCA member ID number. Check the box to confirm you are a CCA member. Click the red **Continue** button.

4. Verify your identity: Select your email address or phone number to receive the verification code. Click the red **Send Code** button. Note: If we were unable to verify your information, call CCA Member Services to update our records. If you select email address, but can't find the email, check your junk folder.

5. Select the app(s) and grant consent: CCA requires that you acknowledge that you read the member education, understand your risks and rights to sharing your data, know how to revoke your consent, agree to terms of use, and provide an electronic signature. Click the check box next to the name of any or all apps for which you would like to start sharing your data.

6. View your application dashboard: From this page, you will see which apps that have access to your health data from CCA. Click **+Add New Application** to go back to previous page and select more apps.

7. End session: Click the downward red error next to your member ID in the top of the page. Select, **End Session**. If you forget to end the session, it will automatically time out.

CCA will ensure that your health data is available through the app of your choice within four 30 business days from the date of your request.

Instructions for return visitors

Follow steps 1-4 above. CCA will always verify your identity anytime you use the Share My CCA Data site.

You will bypass step 5 and land on your application dashboard. From your application dashboard, you can:

- Add new apps

- Renew access to your data for apps

- Revoke access to your data for apps

Renew your consent to third-party apps

From the application dashboard in the Share My CCA Data site, you will see the date that your consent expires per app. Your consent automatically expires three months after signing the consent form. You can renew access and authorize CCA to continue sharing your health data with the selected app for an additional three months. If you do not renew access before the expiration date, CCA will automatically stop sending your data to the app. Click **Renew** to authorize CCA to continue sharing your healthcare data with the selected app for three months. If you cannot click **Renew** for an app, it means that CCA no longer approves use of the third-party app.

Revoke consent to third-party apps

You have the right to revoke the consent you gave to third-party apps anytime. Please be aware that deleting the third-party app from your device does not revoke the access you granted.

From the application dashboard in the Share My CCA Data site, click Revoke to tell CCA to stop sharing your healthcare data with the selected app(s). You can stop sharing your CCA healthcare data with a third-party app at any time, for any reason. It can take up to 24 hours for your request to be processed. CCA can also revoke access to all your third-party apps in case your device is lost or stolen.

How to send your CCA health data to other health plans

You can authorize us to send your health data to other health plans. Complete the Release of Information (ROI) form available at www.commonwealthcarealliance.org/interoperability to make the request. Mail, fax, or email your complete form to:

> Commonwealth Care Alliance
> Health Information Management Department
> 35550 Main Street, Suite 101
> Springfield, MA 01107
> Fax: 413-733-1924
> Email: HIM@commonwealthcare.org

If the request is being submitted by a personal representative (such as a legal guardian, or person with an invoked health care proxy, or executor of your estate), the request will be processed only if the personal representative has provided appropriate legal documentation that supports authority to request the release of your health information.

CCA will share your health data within 30 days of receiving your request.

Once you submit, your health data will be shared with the other health plan.

How to send your past health data from other health plans to CCA

If you want CCA to maintain your full health record, please reach out to the other health plans who are covering you currently or had provided coverage for you in the last five years. Follow their instructions and request for your health information to be sent to us.

After receiving your health information from your prior plans, it will be stored along with your existing health information. If you request CCA to share your health information, we will share all your information including your previous health data received from your prior plans.

Questions or Complaints

Questions about data issues

If you find any issues or errors in your data, please contact CCA Member Services:

- Massachusetts Members: 866-610-2273 (TTY 711)

- Rhode Island Members: 833-346-9222 (TTY 711)

We are available 8 am to 8 pm, 7 days a week, from October 1 to March 31. (April 1 to September 30: 8 am to 8 pm, Monday to Friday, and 8 am to 6 pm, Saturday and Sunday.)

Filing a complaint in case of data breach or inappropriate data usage by a third-party app

If you think your data has been breached or an app has used your data inappropriately, you can file a complaint. If you want to file a complaint, there are a few different ways:

- Make a complaint about an application with the FTC: reportfraud.ftc.gov

- Make a complaint through the Office for Civil Rights:
  ocrportal.hhs.gov/ocr/smartscreen/main.jsf

- Make a complaint with the Commonwealth Care Alliance Privacy Officer: Call 866-457-4953

Commonwealth Care Alliance (CCA) is an organization that contracts with both Medicare and Medicaid to provide benefits of both programs to enrollees. Enrollment in a CCA health plan depends on contract renewal.

You can get this document for free in other formats, such as large print, braille, or audio. Massachusetts members, call 866-610-2273. Rhode Island members, call 833-346-9222. TTY users call 711. We are open 8 am to 8 pm, 7 days a week, from October 1 to March 31. (April 1 to September 30: 8 am to 8 pm, Monday to Friday, and 8 am to 6 pm, Saturday and Sunday.) The call is free.