



Health & Homelessness Community of Practice: How AB 133 Allows Data Sharing for Care Coordination

FAQ

Introduction

The Health and Homelessness Community of Practice (CoP) supports Continuums of Care (CoCs), Medi-Cal managed care plans (MCPs), and their partners in developing secure, lawful, and effective data-sharing practices that improve care coordination for people experiencing or at risk of homelessness. At the center of the CoP's work is building trust and protecting privacy while supporting whole-person care.

This FAQ addresses key questions about how California's Assembly Bill 133 (AB 133, 2021), permits MCPs, CoCs and their community partners to share their client's health and personally identifiable information for the purposes of implementing Medi-Cal's California Advancing and Innovating Medi-Cal (CalAIM) initiative. This document is for informational purposes only and does not constitute legal advice.

How does the Assembly Bill 133 (AB 133, 2021) change data sharing for coordinated care?

- The AB133 (2021)¹ temporarily overrides certain state-law consent requirements for the limited purpose of CalAIM care coordination. It allows managed care plans (MCPs) and "Medi-Cal Partners" to share minimally necessary information to coordinate, deliver, and pay for CalAIM services without obtaining individual authorization even when state law would otherwise require consent.²
- Applicable CalAIM care coordination activities include Enhanced Care Management (ECM) and Community Supports such as Housing Deposits, Housing Navigation, Housing Tenancy and Supportive Services, Transitional Rent, and Recuperative Care.³
- AB133 does not override federal laws including the Health Insurance Portability and Accountability Act (HIPAA), 42 CFR Part 2, and the U.S. Dept. of Housing & Urban Development (HUD) requirements governing the CoC/Homeless Management Information System (HMIS) privacy rules.⁴

Who counts as a "Medi-Cal Partner" for CalAIM purposes under AB 133?

- Medi-Cal Partners" are broadly defined in the Department of Health Care Services' (DHCS) Data Sharing Authorization Guidance Toolkit: Medi-Cal Housing Support Services as any person or organization that provides Medi-Cal reimbursable health and social services to Medi-Cal members. It is role-based and applicable to those who serve a defined function in care coordination, payment, or service delivery under CalAIM.⁵
- Under this broad definition, Medi-Cal partners may include, but are not limited to, MCPs, ECM and Community Supports housing service providers, County behavioral health, public health and social service departments, Tribal Health Programs, and other organizations that serve a role in care coordination under CalAIM.⁶

Can CoC Lead Agencies and HMIS Operators be Medi-Cal Partners under AB133?

- CoC lead agencies and HMIS operators can be considered Medi-Cal Partners (role-based) under AB 133 and State guidance when they are directly participating in the delivery, coordination, or support of CalAIM services for Medi-Cal members. In such circumstances, they may receive and share the minimum necessary information for CalAIM purposes under documented arrangements (defined workflows, MOUs, or agreements) with an MCP and/or a County. Participation in DHCS's Housing and Homelessness Incentive Program (HHIP) may demonstrate MCP-CoC/HMIS operator collaboration,⁷ but HHIP participation alone does not establish Medi-Cal Partner status under AB 133 without a specific CalAIM care-coordination role.⁸



Can MCPs share protected health information (PHI) with Medi-Cal Partners when coordinating care?

- MCPs and their ECM and Community Supports providers may share personally identifiable information (PII) and protected health information (PHI) with Medi-Cal Partners for the purposes of treatment, payment, and health care operations (TPO) under HIPAA, without individual authorization. The data that can be shared between MCPs and Medi-Cal Partners includes referrals, eligibility verification, and/or care coordination updates related to ECM and/or Community Supports.⁹

Can they share any information or just information about ECM and Community Supports?

- MCPs and their Medi-Cal Partners may share minimum necessary information required to perform their defined CalAIM functions.

Under AB133, can an MCP share data with a housing provider that is not contracted as a Medi-Cal provider for ECM and/or Community Supports?

- AB 133 permits MCPs to share information needed for CalAIM care coordination even with non-contracted housing partners when those partners play a defined role in CalAIM. Many CoC lead agencies are not contracted as ECM or Community Supports providers, but they often perform essential care-coordination functions (e.g., Coordinated Entry System/HMIS) coordination, housing navigation, and tenancy supports).¹⁰ Under this scenario, the MCP may disclose the minimum necessary information to enable such coordination. However, because CoC leads and HMIS operators are often not HIPAA-covered entities, the MCP should document the disclosure, and where feasible, ensure that a data-sharing agreement is in place with redisclosure limits. In fact, most CoCs and MCPs already have data sharing agreements in place.

Can MCPs, CoCs and their partners redisclose health information they receive?

- It depends on the data involved and who is redisclosing the information. HIPAA-covered entities may redisclose PHI to other HIPAA-covered entities for treatment, payment, and health care operations (TPO).¹¹
- If the Medi-Cal Partner is not a HIPAA-covered entity, HIPAA no longer governs the data once the MCP shares it with its Medi-Cal Partner. For example, if the MCP shares data about ECM or Community Supports with the Coordinated Entry System (CES) Lead and that data is entered into HMIS, it can be shared with other organizations who have access to HMIS. Any organization that has access to HMIS must follow the HUD/CoC privacy rules, local confidentiality policies, and any data sharing agreement signed with the MCP. **42 CFR Part 2 (SUD) protected information, however, cannot be redisclosed unless the Part 2 requirements are met, even if entered into HMIS.**¹²

What happens if a CoC's Release of Information (ROI) does not explicitly cover data sharing for Medi-Cal housing-related services?

- The CoC and HMIS rules require CoCs to publish a privacy notice describing what client data is being collected and how they are used and disclosed. If the CoC privacy notice or its ROI do not authorize disclosures to MCPs or Medi-Cal partners, the CoC needs client consent at the point of referral.¹³



Key Government Resources

US DHHS:

- [HIPAA Home | HHS.gov](#)
- [HIPAA FAQs for Professionals | HHS.gov](#)
- [Fact Sheet 42 CFR Part 2 Final Rule | HHS.gov](#)
- [Substance Use Confidentiality Regulations | SAMHSA](#)

HUD/HMIS:

- [HMIS Data Uses and Disclosures \(PDF\)](#)
- [HMIS and Privacy Compliance Reviews: Working with an Attorney to Achieve Compliance \(PDF\)](#)
- [Integrating People with Lived Experience of Homelessness in the Data-Sharing Process \(PDF\)](#)

Cal HHS/DHCS:

- [California Code, Welfare and Institutions Code - WIC § 14184.102.](#)
- [CalAIM Data Sharing Authorization Guidance \(Oct 2023\)](#)
- [DSAG Medi-Cal Housing Services Toolkit.pdf \(April 2025\)](#)
- [Community Supports Policy Guide: Volume 1 \(April 2025\)](#)
- [Community Supports Policy Guide: Volume 2 \(April 2025\)](#)
- [ASCOMI-CalAIM](#)

End Notes

¹ [Cal. Welf. & Inst. Code §14184.102\(j\)](#); Data Sharing Authorization Guidance: Medi-Cal Housing Support Services Toolkit, April 2025. Available at: <https://www.dhcs.ca.gov/CalAIM/ECM/Documents/DSAG-Medi-Cal-Housing-Services-Toolkit.pdf>.

² AB133 overrides State consents required for sharing of medical information (Civ. Code §§ 56 et seq. - CMIA), mental health (WIC § 5328 -LPS Act), substance-use disorder information (HSC §§ 11812, 11845.5), information related to HIV test results (HSC § 120985), and confidentiality around county social services information (WIC § 10850). It does not override state requirements on special handling of sensitive reproductive and gender-affirming health information (AB352, 2023).

³ Data Sharing Authorization Guidance: Medi-Cal Housing Support Services Toolkit, April 2025. Available at: <https://www.dhcs.ca.gov/CalAIM/ECM/Documents/DSAG-Medi-Cal-Housing-Services-Toolkit.pdf>.

⁴ AB 133 does not supersede federal privacy protections under the Health Insurance Portability and Accountability Act (HIPAA), 42 C.F.R. Part 2, and U.S. Dept. of Housing & Urban Development, Continuum of Care/Homelessness Management Information System (HMIS) Rules - 24 CFR Part 578.

^{5,6} Data Sharing Authorization Guidance: Medi-Cal Housing Support Services Toolkit, April 2025. Available at: <https://www.dhcs.ca.gov/CalAIM/ECM/Documents/DSAG-Medi-Cal-Housing-Services-Toolkit.pdf>.

⁷ [Housing and Homelessness Incentive Program](#). Available at: <https://www.dhcs.ca.gov/services/Pages/Housing-and-Homelessness-Incentive-Program.aspx>

^{8,9,10} Data Sharing Authorization Guidance: Medi-Cal Housing Support Services Toolkit, April 2025. Available at: <https://www.dhcs.ca.gov/CalAIM/ECM/Documents/DSAG-Medi-Cal-Housing-Services-Toolkit.pdf>. See pages 27-41.

¹¹ [Guidance: Treatment, Payment, and Health Care Operations | HHS.gov](#). Available at: <https://www.hhs.gov/hipaa/for-professionals/privacy/guidance/disclosures-treatment-payment-health-care-operations/index.html>.

¹² <https://www.dhcs.ca.gov/es/CalAIM/ECM/Documents/DSAG-Medi-Cal-Housing-Services-Toolkit.pdf>. See pages 27-29. Substance Use Disorder (SUD) records originating from a Part 2 program cannot be redisclosed without patient authorization, except within narrow contractual arrangements specified by law. With patient consent, however, Part 2 data may be redisclosed for TPO purposes among HIPAA-covered entities. HMIS data may only be redisclosed in accordance with HUD's privacy standards and the local CoC policies on their use and disclosure. See pages 33-34.

¹³ [HMIS Data Uses and Disclosures - Privacy and Security Toolkit](#). Available at: <https://files.hudexchange.info/resources/documents/Privacy-and-Security-Toolkit-HMIS-Data-Uses-and-Disclosures.pdf>