

Questions & Answers on the use of HL7 CDA and required licensing

In the past months a number of questions have been raised about the use of HL7 and in particular HL7 CDA and the possible requirement to have a license agreement or become a member of the HL7 organization, either directly or through an HL7 affiliate (e.g. Canada Health Infoway). Clarification on the below questions has been provided by contacts involved in the licensing and membership agreements at Canada Health Infoway and by HL7 International.

General Information on HL7 International License Agreement and the HL7 International IP policy that governs the use of HL7 standards and related HL7 IP can be found at: https://sl.infoway-inforoute.ca/content/dispPage.asp?cw_page=infostand_hl7can_e

Does a healthcare professional that wants to view a clinical document using a simple browser (in CDA format) need to be a member of HL7?

If you are a health care professional accessing a clinical document by using a health information solution that has implemented HL7, including CDA, you would not have to have a membership with HL7 directly. Rather, the vendor that has developed that particular solution would have to be a member of HL7 in order to have the license rights of using HL7 in their product.

If CDA formatted documents are stored in a solution (e.g. a DI-r) that does not support HL7 messages, e.g. CDA are communicated using web services. Does that solution's vendor still be a member of HL7? Typically these solutions can store any information, they don't know what standard it is. And the CDA can be viewed using a simple web browser, no HL7 involved at all, and the browser is open source.

In summary, if a solution is storing or passing CDA without actually leveraging/parsing any of the data within the document, the solution vendor would not need to be a member of HL7. In contrast, any solution that is "cracking open" the CDA to leverage data contained within it is leveraging HL7 IP and would therefore need to be an organizational member of HL7 International or a HL7 Affiliate. Similarly, if an open-source tool has been developed to be HL7 aware to support opening CDA to use the information contained within, the developers should be organizational members of HL7 International. If the tool being leveraged to open CDA to leverage the content is not "HL7 aware" (e.g. agnostic of standards) but requires the user to be "HL7 aware" in order to leverage the data, then the user would have to be associated with an organization membership.

Would applying a stylesheet to render the information contained in the CDA for display purposes considered "cracking open"? This goes back to the original question I had. Users with any browser can display the CDA if the stylesheet is

applied. If that is considered "cracking open" all these users need to be (or become) a member of HL7 which would prohibit to use of this standard.

I have confirmed with HL7 International that applying a style sheet to simply view the data does not require an HL7 membership.