Division of National Standards

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What We Do...

- Clarify policy related to the standards and operating rules required by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and Affordable Care Act (ACA);

- Educate and provide technical assistance about the adopted standards and operating rules to support the affected stakeholders, using collaboration and outreach;

- Enforce HIPAA policies through complaint investigations, corrective action plans, and compliance reviews.

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What we've been doing

- Participating with our stakeholders at conferences and on workgroups

- Adopted a new cloud-based platform, *Salesforce Cloud,* on which to run the ASETT system, to enhance enforcement activities

- Launched the transaction and operating rule compliance review pilot – recruiting volunteer health plans and clearinghouses. Providers are not being recruited at this time, but we may reach out for provider volunteers in the future.

- Working closely with Office of the National Coordinator's 2018 Interoperability Standards Advisory (www.healthit.gov/ISA) to incorporate the administrative standards and operating rules

- Working closely with the NCVHS on their "predictability roadmap" in their effort to develop recommendations for modernizing the update and adoption process for standards and operating rules.

NCVHS Predictability Roadmap for Standards and Operating Rules

- Held a Workshop in August = same day as the Solar Eclipse. Used a visioning technique called Appreciative Inquiry.

- Themes identified to HHS by workshop participants:
  - Streamlining the update/adoption process
  - Changes to federal process
  - Improving governance and oversight of SDOs
  - Better data harmonization/cohesion
  - Improved industry representation on workgroups

- Working on action steps and recommendations
  - Participants will meet with NCVHS
  - Potential industry hearing and recommendations to HHS and SDOs/ORAE

DNS – Optimization

DNS Optimization Program

New Video: Reaching Compliance with ASETT.
To help the health care community use electronic standards for administrative transactions, CMS announces a new video, Reaching Compliance with ASETT.

This animated short:
• Explains how covered entities can ensure that are in compliance with the law
• Explains the benefits of complying with Administrative Simplification standards, including substantial cost savings.
• Describes how ASETT—the Administrative Simplification Enforcement and Testing Tool—allows you to test transactions, both your own and your business trading partners' transactions.
• Tells you how to use ASETT to file a complaint if you have any noncompliant business trading partners.

DNS Optimization Program

- The Administrative Simplification Enforcement and Testing Tool (ASETT) was updated in 2017

- Complainants have the option to remain anonymous to the filed against entity.

- ASETT includes the X-Engine Testing Transaction Tool for compliance, syntax and business rule testing.

- Complaint data is posted on the CMS enforcement page each month

- The complaint website is https://asett.cms.gov/

DNS Optimization
# Compliance Review Pilot

- 4 Clearinghouses, 1 health plan, and 1 business associate

- Providers not included in the pilot at this time

- Randomly selected from volunteers

- Testing will include all HIPAA transactions that an entity conducts

- Entities will attest compliance with the operating rules that have been adopted for the HIPAA transactions.

Complaint Type and Status

Type	Open	Closed
Transactions and Code Sets	38	17
Operating Rules	3	2
TOTAL	41	19
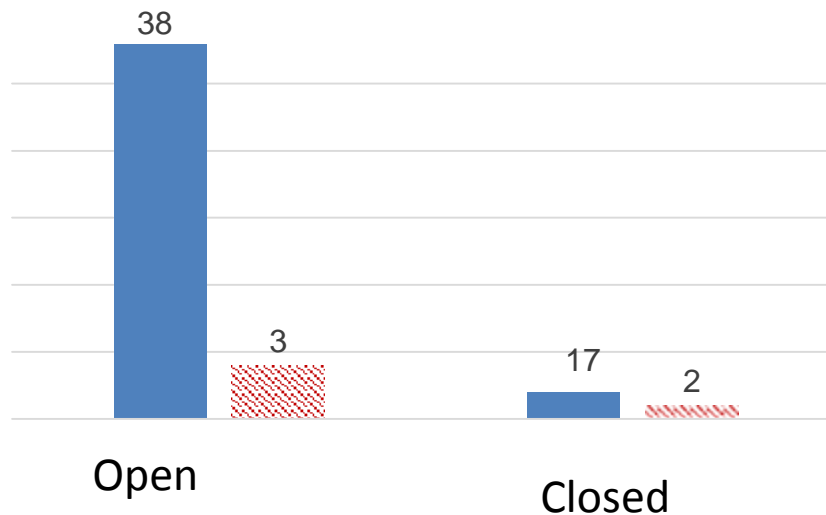
Transactions/Code Sets

Operating Rules

DNS Regulatory News

Upcoming DNS Regulations

On December 14, 2017, the following were published in the Fall 2017 Unified Regulation Agenda:

- o Adoption of a Standard for a Unique Health Plan Identifier Repeal (CMS-0054-P) –

  On September 5, 2012, HHS published the final rule entitled Administrative Simplification: Adoption of a Standard for a Unique Health Plan Identifier; Addition to the National Provider Identifier Requirements; and a Change to the Compliance Date for the International Classification of Diseases, 10th Edition (ICD10CM and ICD10PCS) Medical Data Code Sets.

  Should this notice of proposed rulemaking be published it would seek to repeal the Health Plan Identifier regulation.

o Administrative Simplification; Health Care Claims Attachments (CMS-0053-P) –

Should this notice of proposed rulemaking be published it would propose to adopt standards and operating rules for attachments based on the statutory requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and reinforced in the Affordable Care Act.

Should it be published, this NPRM would seek to establish a rule that would facilitate transactions in which a provider attaches clinical information to be transmitted to a health plan. We are required to adopt standards to facilitate the electronic exchange of clinical information.

OPEN DISCUSSION