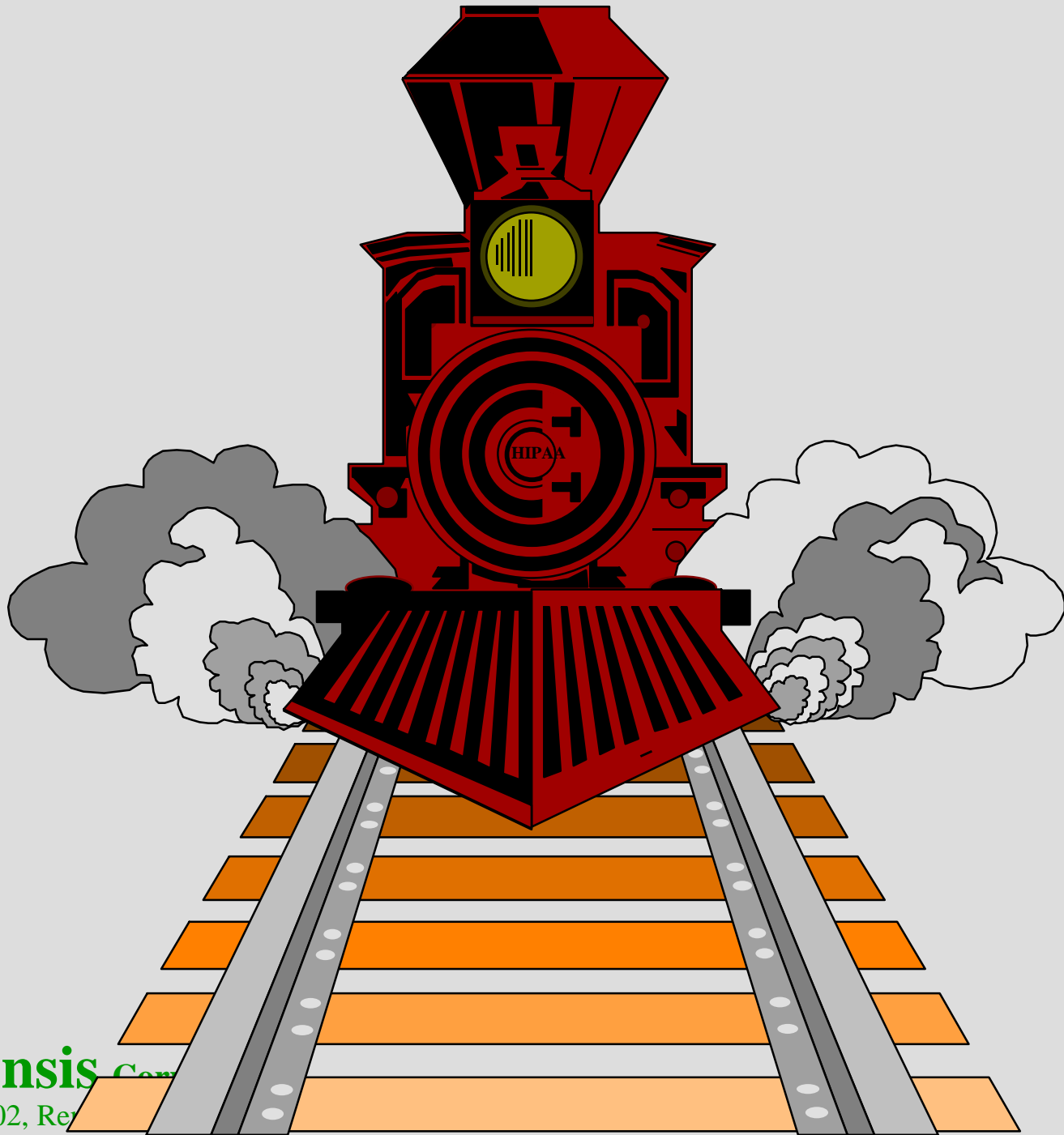


# HIPAA Transactions and Code Sets

Addenda, Attachments,  
Annual Updates, and ASCA

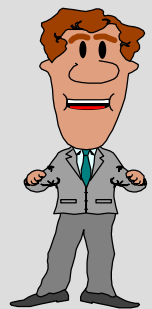
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*Intelligently Linking Information Systems*



# David A. Feinberg, C.D.P.

- Consultant -- Healthcare Interfaces and EDI
- Member, Accredited Standards Committee X12 and its Insurance Subcommittee (X12N)
- Member, Health Level Seven (HL7)
- Co-Chair, X12N HIPAA Implementation Work Group
- Member, HL7 Attachments Special Interest Group (ASIG) and X12N Patient Information Work Group (TG2/WG9)
- Member, HL7 Imaging Integration Special Interest Group (IISIG) and DICOM Image Integration Group (WG20)
- Member, concluded HL7 Master Person Index Mediation Special Interest Group (MPISIG)
- Commercial and Technology Arbitrator, American Arbitration Association



# Topics

- Rule-Making Process
- ASCA
- Addenda
- ASCA and Addenda Interactions
- Annual Updates
- Attachments

# Topics

- **Rule-Making Process**

ASCA

Addenda

ASCA and Addenda Interactions

Annual Updates

Attachments

# HIPAA Electronic Transactions

- Mandatory **Federal Regulations** [“Rules”]  
*which promulgate*
- Voluntarily adopted X12N (and other)  
**Implementation Guides**  
*a.k.a. “HIPAA Standards”*  
*which define precise uses of*
- Voluntarily adopted **X12 (ANSI) Standards**

# Rule-Making Process

- **X12N** finalizes and proposes new version of Implementation Guides
- Designated Standards Maintenance Organizations (**DSMO**) Steering Committee approves new version
- National Committee on Vital and Health Statistics (**NCVHS**) recommends new version

# Rule-Making Process

- Centers for Medicare and Medicaid Services (**CMS**) prepare new rule promulgating new version
- Department of Health and Human Services (**DHHS**) clears new rule
- Other affected federal agencies (e.g., Office of Management and Budget) approve new rule



# Rule-Making Process

- New rule is published in the Federal Register as a Notice of Proposed Rule Making (**NPRM**)
- Public comment period occurs -- normally **60 days**
- CMS, with any needed support from DSMO Steering Committee or X12N, analyzes comments received

# Rule-Making Process

- Based on received comments, X12N updates new version of Implementation Guides
- DSMO Steering Committee approves updated new version
- NCVHS recommends updated new version

# Rule-Making Process

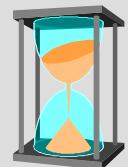
- CMS updates new rule promulgating updated new version
- DHHS clears updated new rule
- Other affected federal agencies approve updated new rule

# Rule-Making Process

- Updated new rule is published in the Federal Register as a **Final Rule**
  - Specifies explicit **Adoption Date (A)**
  - Specifies explicit **Compliance Date (C)**
- For an existing HIPAA standard, any Adoption Date must be at least **12 months** following any previous Adoption Date

# Rule-Making Process

- A Adoption Date occurs following the end of mandatory Congressional Review period -- normally **60 days**
  
- C Compliance Date
  - **New Standards** -- **24 months** after adoption date; small health plans get **36 months**
  - **Modified Standards** -- established within the Final Rule, but must be at least **180 days** after Adoption Date



# Topics

## Rule-Making Process

- **ASCA**

Addenda

ASCA and Addenda Interactions

Annual Updates

Attachments

# ASCA Nomenclature

## Administrative Simplification Compliance Act (of 2001)

*a.k.a.* Public Law 107-105

*a.k.a.* H. R. 3323

Section 2: Extension of Deadline for Covered  
Entities Submitting Compliance Plans



# Effects of ASCA

<u>Transactions and Code Sets</u>	<u>Most Folks</u>	<u>Small Plans</u>
Compliance Dates -- Original	10/16/2002	10/16/2003
Compliance Dates -- Extended	10/16/2002	10/16/2003
Enforcement Dates -- Original	10/16/2002	10/16/2003
Enforcement Dates -- Extended	<b>10/16/2003</b>	10/16/2003
Plan Published -- Original	none	none
Plan Published -- Extended	<b>10/16/2002</b>	<b>10/16/2002</b>
Testing Start Dates -- Original	none	none
Testing Start Dates -- Extended	<b>4/16/2003</b>	<b>4/16/2003</b>



# Topics

Rule-Making Process

ASCA

- **Addenda**

ASCA and Addenda Interactions

Annual Updates

Attachments

# Addenda Plan

established February 2001

- Modify initial Implementation Guides only as needed to permit compliance
- Publish Final Rule adopting Addenda in Federal Register prior to 20 March 2002 -- so that Compliance Date would be no later than 16 October 2002



# Addenda Status

as of 20 March 2002

## Process Step

## Status

X12N: Addenda Finalized and Proposed



DSMO: Addenda Approved



NCVHS: Addenda Recommended



CMS: New Rule Prepared



DHHS: New Rule Cleared



Federal Agencies: New Rule Approved



Federal Register: NPRM Published



Public Comment Period (60, or 30?, days)



...



# Topics

Rule-Making Process

ASCA

Addenda

- **ASCA and Addenda Interactions**

Annual Updates

Attachments

# Compliance Situation

as of 20 March 2002

- Initial Implementation Guides and Code Sets must be followed by 10/16/2002
- Addenda and modified Code Sets can not be adopted in time to alter 10/16/2002 compliance date for initial Implementation Guides and Code Sets
- ASCA extension pragmatically shifts compliance date to 16 October 2003

# Compliance Situation

as of 20 March 2002

- Nobody can accurately predict when the Addenda and modified Code Sets
  - will be adopted, nor
  - how long their rule-making process will take
- Guesstimates for the Addenda and modified Code Sets adoption (i.e., rule-making) process range from **7-9 to over 12 months** *after* their NPRM's are published

# Compliance Situation

as of 20 March 2002

- Everybody hopes the Addenda and modified Code Sets will be adopted
  - in time to be used for ASCA-specified testing: 16 April 2003, or
  - definitely in time to be followed for ASCA extended compliance date: 16 October 2003



# Addenda Drop Dead Dates

	<u>ASCA Testing</u>	<u>ASCA Compliance</u>
ASCA Dates ( <u>180</u> day implementation minimum)	4/16/2003	10/16/2003
Addenda Adoption ( <u>30</u> day Congressional Review*)	10/18/2002	4/19/2003
Final Rule Publication ( <u>150</u> day comment processing**)	9/18/2002	3/20/2003
End NPRM Comment Period ( <u>30</u> day comment period*)	4/21/2002	10/21/2002
NPRM Publication	3/22/2002	9/21/2002



# Topics

Rule-Making Process

ASCA

Addenda

ASCA and Addenda Interactions

- **Annual Updates**

Attachments

# Rule-Making Process

- For an existing HIPAA standard, any Adoption Date must be at least **12 months** following any previous Adoption Date
- Previous Adoption Date will likely be for the Addenda and modified Code Sets
- Rule-making steps (e.g., Implementation Guide preparation, NPRM processing, Final Rule publication) prior to Adoption Date may be performed at any time

# X12N Activities

- Work on version 004050 Implementation Guides is underway
- Present plan is to submit all version 004050 Implementation Guides together for next round of HIPAA: “HIPAA-2”
- Earliest possible availability for all 004050 Implementation Guides is October, 2002; though this could slide until February, 2003



# HIPAA-2 Implementation Guides

	<u>ASCA Testing</u>	<u>ASCA Compliance</u>
Addenda Adoption + 12 months ( <u>60</u> day Congressional Review)	10/18/2003	4/19/2004
Final Rule Publication ( <u>150</u> day comment processing**)	8/19/2003	2/20/2004
End NPRM Comment Period ( <u>60</u> day comment period)	3/22/2003	9/23/2003
NPRM Publication	1/21/2003	7/25/2003
Version 004050 Guides Ready? ( <u>X12N finalized and proposed, DSMO approved, NCVHS recommended</u> )	Jan. 2003	May 2003

# Topics

Rule-Making Process

ASCA

Addenda

ASCA and Addenda Interactions

Annual Updates

- **Attachments**

# Claims Attachments

- Claims Attachments is a new standard and, following adoption, covered entities will have **24 months** [**36 months** for small health plans] to comply
- Coordinated X12N and Health Level Seven (HL7) Implementation Guides and draft NPRM have been ready since 1999

X12N      [www.wpc-edi.com/hipaa](http://www.wpc-edi.com/hipaa)

HL7      [www.hl7.org](http://www.hl7.org)      {Attachments Special Interest Group}

# Claims Attachment Status

as of 20 March 2002

<u>Process Step</u>	<u>Status</u>
X12N and HL7: Implementation Guides Ready	<input checked="" type="checkbox"/>
CMS: First Rule Prepared	<input checked="" type="checkbox"/>
DHHS: First Rule Cleared	<input type="checkbox"/>
Federal Agencies: First Rule Approved	<input type="checkbox"/>
Federal Register: NPRM Published	<input type="checkbox"/>
Public Comment Period (60 days)	<input type="checkbox"/>
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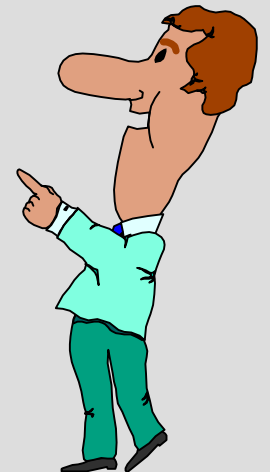
# HIPAA Transactions and Code Sets

Addenda, Attachments,  
Annual Updates, and ASCA

*Comments?*

*Questions?*

*Smart Remarks?*





# HIPAA Transactions and Code Sets

Addenda, Attachments,  
Annual Updates, and ASCA

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