

National Perspective: Update on HIPAA Regulations: What's Next?



Presented By:

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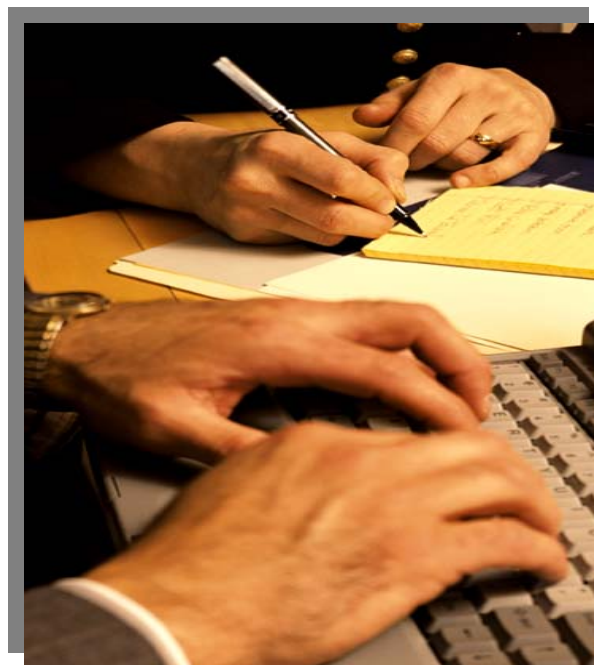
www.boundary.net

www.hipaainfo.net

October 22, 2001

PRESENTATION OUTLINE

1. **HIPAA Regulation Update**
2. **Medicare and Medicaid**
3. **WEDI**
4. **What's Next?**



BOUNDARY INFORMATION GROUP (BIG)

- **Virtual Consortium of Health Care Information Systems Consulting Firms**
- **Founded 1995**
- **Internet-Based**
- **Company website: www.boundary.net**
- **BIG HIPAA Resources: www.hipaainfo.net**
- **Senior Consultants with HIPAA Leadership Experience Since 1992**
- **HIPAA Consulting**
 - **Education and Training**
 - **HIPAA Project Planning**
 - **Readiness Assessment and Remediation**
 - **Project Management or Project Advisor**



Workgroup for
Electronic Data Interchange

- **Founded 1991**
- **Nonprofit Association**
- **206 Organization Members**
- **To Foster Widespread Support for the Adoption of Electronic Commerce Within Health Care**
- **Consumers, Government, Mixed Payer/Providers, Payers, Providers, Standards Organizations, Vendors**
- **Named in 1996 HIPAA Legislation as an Advisor to the Secretary of DHHS**
- **Initiated SNIP for HIPAA Implementation**
- **Website: www.wedi.org**
- **Steven Lazarus, WEDI Chair (2001)**

HIPAA MYTHS



- **HIPAA will be delayed**
- **There will be no HIPAA enforcement for many, many years.**
- **My vendor will take care of HIPAA.**
- **HIPAA is an IT project.**

H.R. 3103 Health Insurance Portability and Accountability Act of 1996 (HIPAA)



SUBTITLE F — Administrative Simplification

“It’s terrible to have a law telling you to do something--but you ain’t going to do it unless there is.” Will Rogers, May, 1935

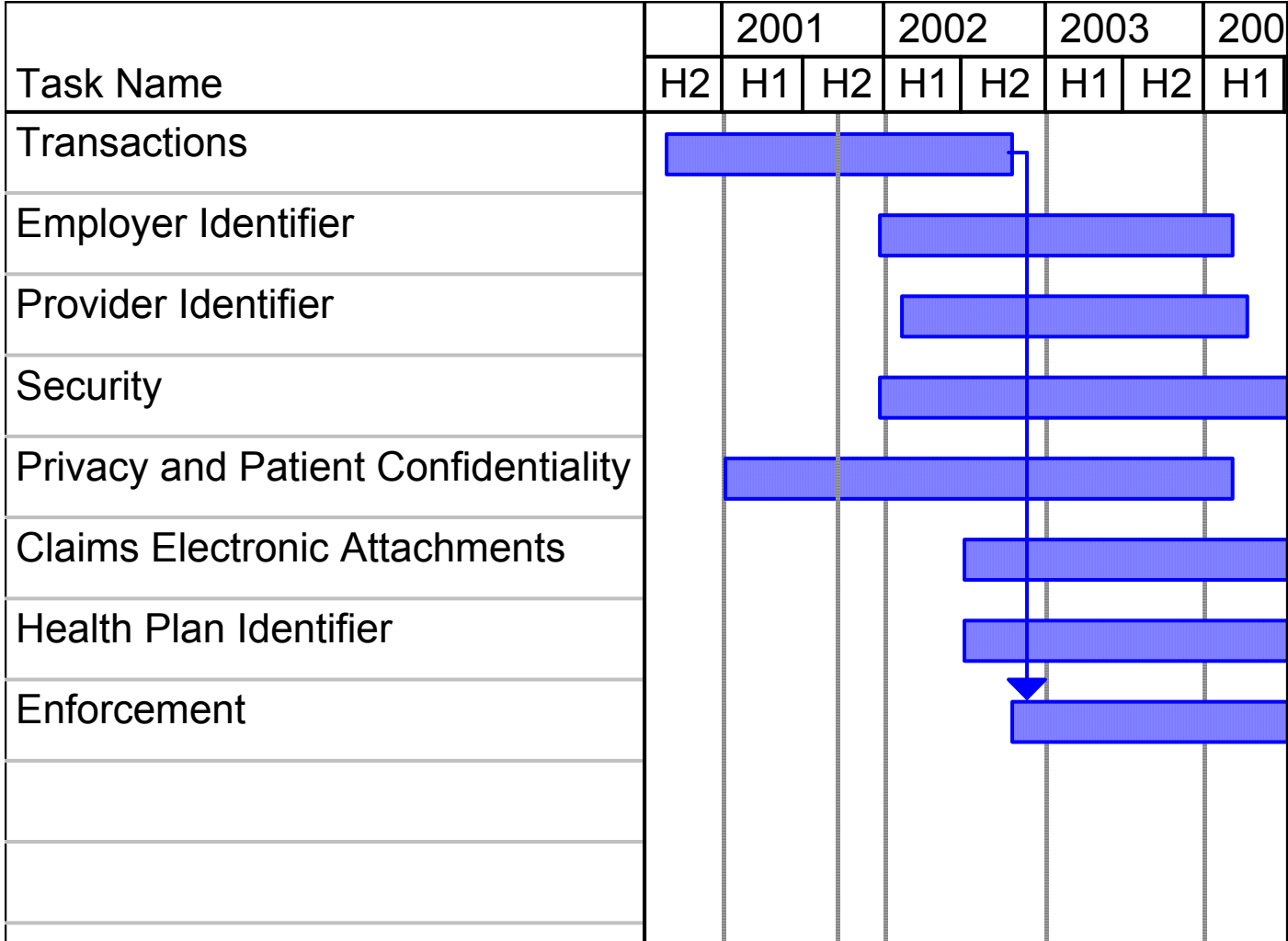


HIPAA REGULATIONS STATUS AS OF OCTOBER 9, 2001



HIPAA REGULATION	PROPOSED RULE PUBLICATION	FINAL RULE PUBLICATION	EXPECTED COMPLIANCE DATE
Standards For Electronic Transactions	May 7, 1998	August 17, 2000	October 16, 2002
National Standard Health Care Provider Identifier	May 7, 1998	Expected 2001-2002	2004
National Standard Employer Identifier	June 16, 1998	Expected 2001	2003-2004
Security and Electronic Signature Standards	August 12, 1998	Expected 2001	2003-2004
Privacy and Patient Confidentiality	November 3, 1999	December 28, 2000	April 14, 2003
Standards for Electronic Claims Attachments	Expected 2001	Expected 2002	2004
National Standard Health Plan Identifier	Expected 2002	Expected 2002	2004
Enforcement	Expected 2001	Expected 2002	To be effective with each final rule
Medical Record	Expected 2003+	Unknown	Unknown

Model HIPAA Timeline



MEDICARE READINESS

- **DHHS Transactions Status**
 - **May 29, 2001, Secretary Thompson's letter to NCVHS indicates that NDC will not be required for transactions**
- **HCFA Program Memoranda**
 - **Transmittal A-01-20 of February 5, 2001**
 - **Transmittal B-01-06 of February 6, 2001**
 - **Medicare will switch to exclusive use of outbound 4010 COB by October 16, 2002**
 - **Medicare will cease non-version 4010 electronic claims by October 2002**

MEDICAID READINESS

- **Varies by State**
- **National Governor's Association**
 - Continues to call upon Congress and the Bush Administration to restructure implementation times, except for privacy
 - August 22, 2001 letter to Congress (www.nga.org)
- **State Issues**
 - Local codes
 - Budget and contracting cycle
 - Priorities
 - Impact on many programs

“NOISE” IN THE BACKGROUND

- **Congress**
 - **S.836**
 - **HR. 1975**
- **House Committee on Ways and Means**
 - **October 3, 2001 letter to the Senate for no delay signed by the House**
 - **Bill Thomas, Chairman**
 - **Nancy L. Johnson, Chairman, Health Subcommittee**
 - **Charles D. Rangel, Ranking Member**
 - **Pete Stark, Ranking Member, Health Subcommittee**

“NOISE” IN THE BACKGROUND

- **Hospitals want no delay, September 26, 2001 letter**
 - **American Hospital Association**
 - **American Association of Medical Colleges**
 - **Federation of American Hospitals**
 - **The Cleveland Clinic**
 - **VHA**
 - **Premier**
- **California Medical Association wants no delay, October 4, 2001**

“NOISE” IN THE BACKGROUND

- **Doctors’ Lawsuits**
 - **Association of American Physicians and Surgeons, July 2001**
 - **South Carolina Medical Association, July 2001**
 - **Unconstitutional delegation of legislative authority**
- **Blue Cross Blue Shield Association**
- **Other Health Plan Associations**

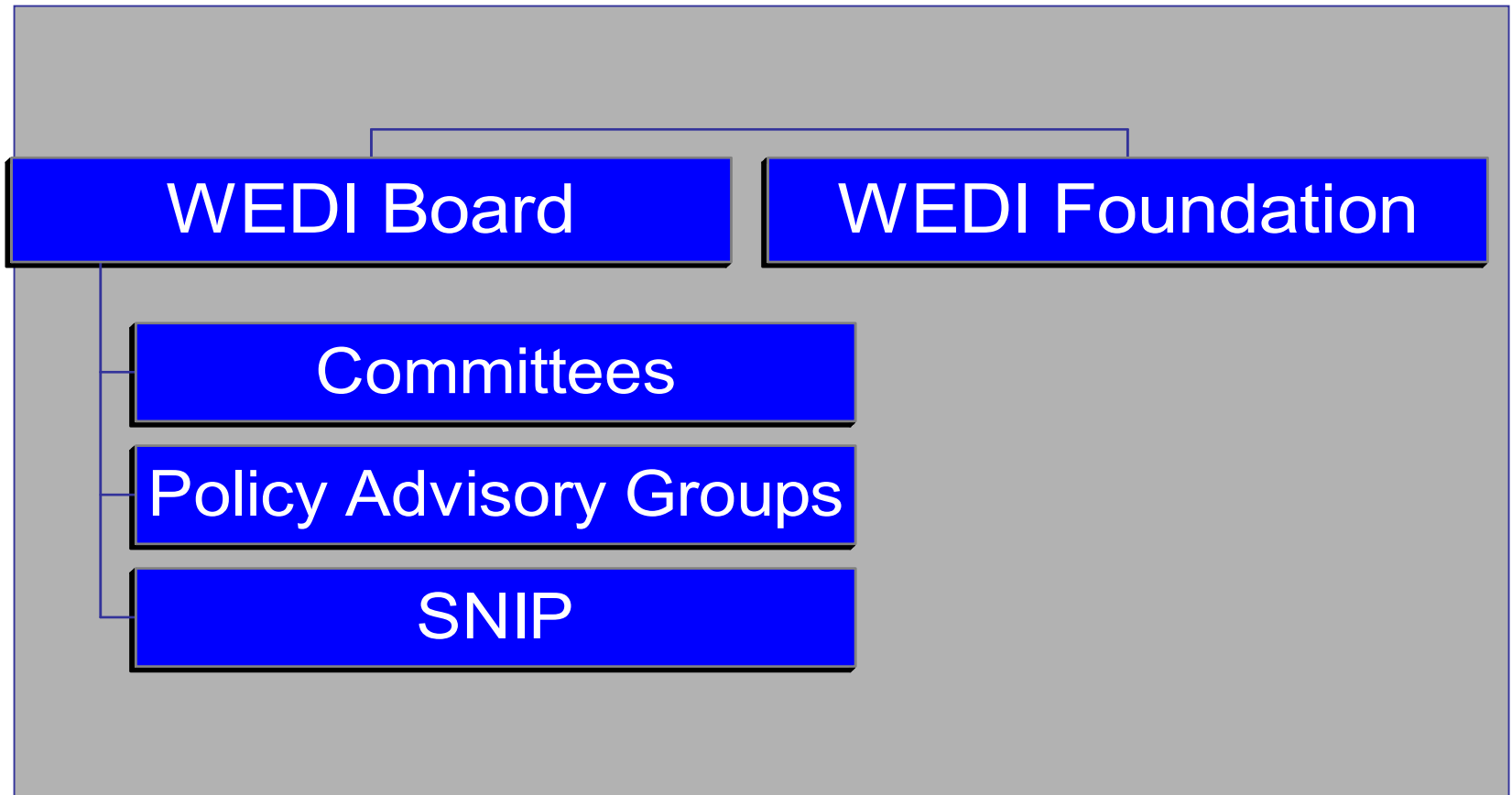
RECOMMENDATIONS

- **Move Aggressively to HIPAA Implementation**
- **For those who have not completed a readiness assessment, it's almost too late**
- **Work together locally and nationally to remove barriers and ease the transition**

NEXT STEPS

- **Start/Complete Remediation**
- **Project Plan**
- **Project Management**
- **Dedicate Project Resources**
- **Monitor Changes**
- **Monitor New Regulations**
 - **Attachments**
 - **Health Plan Identifier**
 - **Enforcement**

FUNCTIONAL RELATIONSHIPS



WEDI POLICY ADVISORY GROUPS (PAGs)



- **Develops industry consensus recommendations to WEDI Board and DHHS**
 - NPRM
 - Initial Final rule
 - Other (e.g., periodic meetings with DHHS)
- **Future PAGs:**
 - Security Final Rule
 - Identifier Final Rule
 - Health Plan Identifier NPRM
 - Privacy NPRM
 - Attachments NPRM
 - Provider Identifier Final Rule

WEDI SNIP



- **Develops industry consensus for HIPAA implementation**
- **Includes over 70 volunteers in leadership positions**
- **Has 3000 plus participants on the LISTSERV**
- **Presents and receives HIPAA implementation advice through www.wedi.org/snip and conferences**
- **Reaches to local areas through Regional SNIPs**
- **New Mexico one of the first Regional SNIP**

Affiliates

SNIP DELIVERABLES



- **White papers**
- **Audio and Web conferences**
- **Quarterly WEDI SNIP conferences**
- **WEDI SNIP HIPAA Implementation Summit**
 - **Orlando, November 12-14, 2001**
- **WEDI National Conference**
 - **Denver, May 14-16, 2002**

SNIP TRANSACTIONS WHITE PAPER



- Sequencing
- Front-End Edits
- Clearinghouses Transactions and Connectivity (draft)
- Data and Code Set Compliance
- Trading Partner Agreements
- Impact on DDE Services
- Testing and Certification
- Business-to-Business Transaction Set Testing
- National Drug Code (NDC)

SNIP SECURITY AND PRIVACY WHITE PAPERS (Version 3.0)



- **Awareness Training and Education**
- **Audit Trail Clarification**
- **Organizational Change Management**
- **Certification**
- **Vendor Technologies and Interdependencies**
- **HIPAA Compliance for Small Provider Practices**
- **Access and Amendment**
- **De-Identification**
- **Minimum Necessary**
- **Notice , Consent, and Authorization**

SNIP SECURITY AND PRIVACY WHITE PAPERS (Version 3.0)



- **Paper versus Electronic Records**
- **Preemption**
- **Policies and Procedures**

SNIP EDUCATION SUB-WORKGROUPS



- State and Regional Efforts
- Large Provider Education
- Small Provider Education
- Health Plan Education
- Employer Education
- Vendor Education
- Pharmacy Education
- Web Initiatives

TOOLS AND RESOURCES

- **Strategic National Implementation Process (SNIP)**
 - www.wedi.org
- **BIG Financial Benefit Estimating Tool**
 - www.hipaainfo.net
- **DHHS/HIPAA**
 - aspe.os.dhhs.gov/admnsimp
- **Colorado SNIP**
 - www.cosnip.com