



*Partnering for Electronic Delivery
of Information in Healthcare*

Statement To

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL COMMITTEE ON VITAL AND HEALTH STATISTICS

SUBCOMMITTEE ON STANDARDS

**REGARDING: Operating rules for eligibility and claim status – preparing for
implementation**

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Members of the Subcommittee, I am Debra Strickland, Co-chair of the 835 and EFT workgroups for the Workgroup for Electronic Data Interchange (WEDI) and Solution Architect for TIBCO Software. I would like to thank you for the opportunity to present testimony today on behalf of WEDI, concerning the matter of operating rules for eligibility and claim status.

WEDI represents a broad industry perspective of providers, clearinghouses, payers, vendors and other public and private organizations that partner together to collaborate on industry issues. WEDI is named as an advisor to HHS under the HIPAA regulation and we take an objective approach to resolving issues.

On May 29th, WEDI released a brief poll that sought to gain insights into industry's readiness for claims eligibility and status operating rules. The early results show that the majority of the respondents are Payers which, we would expect as they are the most impacted by the operating rule implementation effort.

Majority of the respondents who completed the poll were not CAQH participating organizations. This is pertinent because CAQH members would likely have already been well aware of the requirements and some would already be PHASE I and II compliant before the required implementation date.

The poll showed that the large majority of the responders were aware they had to comply with the Operating Rules. This is positive news. The rules have existed for a long time and they align with the HIPAA 5010 eligibility transaction in many ways. We need to make sure we consider that success and relative base knowledge when we assess the next round of Operating rules. The next set will be less circulated so more education and outreach may be necessary.

As far as the phase of readiness, the majority of the responders have started their assessment, which is a concern for the portion that has not as there is less than 6 months before implementation is mandated and those that have not started will have to get through assessment, development and testing in 6 months. Many are in development with some already in the testing phase.

Of the 71 responders we wanted to get a general idea where they had heard about the Operating Rules and which communication vehicle was getting the word out to a broader audience. This will help us to leverage that communication path for the next set of operating Rules.



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CAQH, WEDI and government communications were the highest and most impactful communication vehicles. This should be considered as the next set of rules comes out and these vehicles should be used in a similar fashion.

In one question, WEDI attempted to determine which, if any, of the operating rules were more difficult to understand than others. The responses received reflect that for 5 of the 11 rules 30% or more of the respondent indicated they had some degree of difficulty. This highlights areas that would benefit from additional industry education and clarity around the documented requirements. We need to increase education around the rules for the future versions of the documentation.

On the plus side, two thirds of the responders felt that the requirements are clear enough to complete an assessment of the impact Operating Rules on their organization.

WEDI strives to help educate the industry to support them during their implementation with education through work group discussions, WEDI events as well as tools.

WEDI has the following tools/sessions planned

- Partnering with CAQH CORE on online webinars in order to train industry.
- Call for best practices in implementation of operating rules. WEDI will be compiling those and highlighting best practices as part of its Townhall series
- Call for volunteers on WEDI workgroups that have experience in implementing operating rules.
- A full day of content planned for operating rules as part of WEDI's summer forum. The program will be presented by CAQH CORE Participants and WEDI members

One area that was identified to be a gap is in the area of locating guidance as well as where to go to ask questions. WEDI is prepared to facilitate this process with an evolving question online form service, which will facilitate getting the industry the answers they need during these times.

Overall, the majority of the responders felt the implementation of Operating Rules effort was a medium-sized effort. WEDI believes that there was significant awareness of the operating rules ahead of the federal register date 7/8/2011. Additionally, a compliance date of 1/1/2013 has allowed industry adequate time to prepare their efforts. We need to understand that future operating rules will likely have less socialization time than the



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Eligibility and claim status rules, thus there will be a need to adjust the implementation dates accordingly.

NCVHS Questions

- How is the transition to the new required operating rules for eligibility and claim status going, from your perspective?
- It appears that there is some who are ready for the operating rules and clearly on track for the 1/1/2013 date however it will be key for us to supplement education and push the rest of the industry to get on track and continue to monitor this as the date nears. Additional surveys, educational tracks and forums will help the industry to meet this date.

Based upon the results from this poll it appears that additional, earlier education and clarity around operating rules requirements is a good idea for the next set of operating rules.

- What have been your (your organization, the organizations you represent) experience with internal preparation and transition to the new required operating rules – including business and technical process changes?

The respondents felt this was a medium effort, comments from some indicated that this was far greater than they expected.

Gaps identified include: central location for Operating Rules questions/answers. Separate documentation of just the requirements for Operating rules that can be clearly interpreted by different audiences. Start education earlier in the Operating Rules process.

- In the process of implementing this first set of operating rules, what are the businesses or technical issues you've identified?

There is a subset of the industry that had issues with the documentation of the operating rules. Communications rules were found to be difficult for some to interpret.

- What has your approach been to handling these issues? What advice do you have for other entities?



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Generally the open ended question we recorded indicated that those answering went to CAQH or WEDI 44%, vendors 30%. Some have no idea where to go or they rely on internal SMEs 19%.

- Anything else you would like to bring up regarding the preparation/transition to the new operating rules for eligibility and claim status?

WEDI feels that there is a need to continue to educate the industry on the new operating rules and to continue to engage the industry to learn what methods are most helpful as we near the implementation date.

In closing WEDI would like to thank the Committee for allowing us to comment on this important topic.