



National Committee on Vital and Health Statistics  
Advising the HHS Secretary on National Health Information Policy

# National Committee on Vital and Health Statistics

## Report to Congress

March 31, 2021

# NCVHS' Role



- Public advisory committee to HHS on health data, statistics, privacy, and national health information policy.
- Assist and advise the Department in the implementation of the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act, and. . .inform decision making about data policy by HHS, states, local governments and the private sector.
- Monitor the nation's health data needs and current approaches to meeting those needs; identify emerging health data issues, including methodologies and technologies of information systems, databases, and networking that could improve the ability to meet those needs.

# NCVHS' Role



- Responsible generally for advising the Secretary and the Congress on the status of the implementation of part C of title XI of the Social Security Act.
- Assist and advise the Secretary in complying with the requirements imposed under Part C of Title XI of the Social Security Act.
- Study the issues related to the adoption of uniform data standards for patient medical record information and the electronic interchange of such information, and report to the Secretary recommendations and legislative proposals for such standards and electronic exchange.

# NCVHS Report to Congress



- **Primary Purpose:** Update on Implementation of the Administrative Simplification Provisions of HIPAA
- **HIPAA:** Requires the Secretary of HHS to adopt standards to support electronic information exchange for an efficient, effective healthcare system, including standards for security and privacy to protect individually identifiable health information.

# NCVHS Report to Congress



...shall address the following subjects, to the extent that the Committee determines appropriate:

- The extent to which persons required to comply with Part C of the Act are cooperating in implementing the standards adopted under such part;
- The extent to which such entities are meeting the security standards adopted under such part and the types of penalties assessed for noncompliance with such standards;
- Whether the federal and State Governments are receiving information of sufficient quality to meet their responsibilities under such part;
- Any problems that exist with respect to implementation of such part;
- The extent to which timetables under such part are being met.

# NCVHS Report to Congress



- **14<sup>th</sup> report from NCVHS** since HIPAA was enacted
- **Reporting Period:** January 1, 2019, to December 31, 2020
- **Proposed Format:**
  - Executive Summary
  - 4 Sections in the main body
  - Appendices – includes synopsis of Committee's work during the period

# NCVHS RTC Status – where we are today



- Edits and comments on draft report provided by members
- Review and walk-through overall structure and framing
- Generate general agreement on high-level framing and topics, with focus on Section IV
- Review and discuss in detail language and content suggestions and changes provided by members, focusing on Sections I-III

# NCVHS Draft RTC Outline



- I. Introduction and Report Overview
- II. Evolving Context for Health Information Policy
- III. Progress and Status of HIPAA Implementation
  - A. HIPAA Transaction and Medical Code Set Standards
  - B. HIPAA Privacy, Security, and Breach Notification
- IV. Looking Ahead to 2021-22 and NCVHS Focus Areas



# Evolving Context for Health Information Policy: Five Major Trends in Health Information



1. New technologies, platforms, and models for managing health information—with varying degrees of maturity and implementation—have emerged to meet pressing information needs.
2. Patients' roles in accessing and using their health data have expanded and evolved.
3. The convergence of clinical and administrative data standards is gaining momentum.
4. The COVID-19 pandemic has exposed grave weaknesses in the public health information infrastructure.
5. Health information privacy and security challenges have proliferated.

# Progress and Status of HIPAA Implementation



## **A. HIPAA Transaction and Medical Code Set Standards**

- Transactions Background
- Transactions Status 2020
- HIPAA Transactions Initiatives and Actions, 2019-2020
- HIPAA Medical Code Sets Plus Related Terminologies and Vocabularies Initiatives and Actions, 2019-2020
- Other HIPAA Administrative Simplification Initiatives and Actions, 2019-2020



## **B. HIPAA Privacy, Security, and Breach Notification**

- Proposed Changes to Privacy Rule
- Updated Guidance on FERPA and HIPAA
- Guidance on HIPAA, Health Information Exchanges, and Disclosures of PHI for Public Health Purposes
- HIPAA and COVID-19
- HIPAA Breach Notification
- HIPAA Enforcement
- HIPAA Right of Access Enforcement Initiative

# Looking Ahead to 2021-22 and NCVHS Focus Areas



## **A. National Health Information Challenges & Opportunities**

1. Lack of comprehensive, integrated, national health information standards
2. Need for enhanced data sources to support payment reform and price transparency
3. Lack of equitable information technology access across “the last mile” to reach all end users
4. Lack of a nationwide, digitized infrastructure to enable pandemic information-sharing
5. Continually increasing challenges to privacy, confidentiality, and security

# Looking Ahead to 2021-22 and NCVHS Focus Areas



## **B. NCVHS Focus Areas in the Period Ahead**

1. Promoting convergence of clinical, administrative, social service and public health data
2. Improving the health care industry's cybersecurity posture
3. Monitoring and advising on ICD-11 readiness
4. Supporting modernization of public health data systems