



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

National Committee on Vital and Health Statistics

Planning for the 2023 Report to Congress

December 7, 2022

NCVHS' Role



- Public advisory committee to HHS charged with assisting and advising the HHS Secretary on health data, statistics, privacy, national health information policy – and the Department’s strategy to best address these issues.
- Monitors the nation’s health data needs and current approaches to meeting those needs; identifies emerging health data issues, including methodologies and new technologies, platforms and models for managing health information systems.
- Assists and advises 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.

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.
- Assists and advises the Secretary in complying with the requirements imposed under Part C of Title XI of the Social Security Act.
- Studies 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



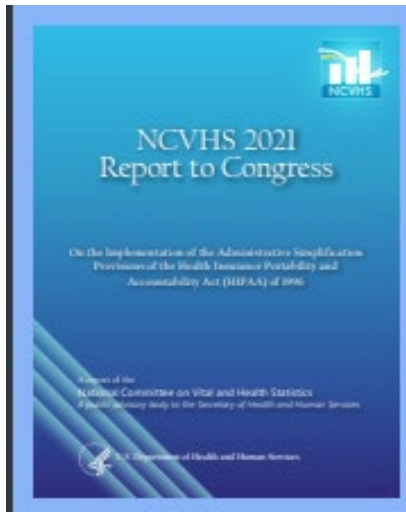
...shall address the following subjects, to the extent that the Committee determines appropriate:

- 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 RTC: Review of Recent History



- **Completed 14th Report to Congress (RTC) in 2021**
- **Reporting Period:** January 1, 2019, to December 31, 2020
- **Included:**
 - Overview of 5 major trends in health information
 - Progress and Status of HIPAA Implementation in two parts:
 - HIPAA Transaction and Medical Code Set Standards
 - HIPAA Privacy, Security, and Breach Notification
 - Review of near-term national health information challenges and opportunities
 - Preview of the Committee's proposed near-term activities



REVIEW: 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 business needs. Patients’ roles in accessing and using their health data have expanded and evolved.
2. Patients’ roles in accessing and using their health data have expanded and evolved. The COVID-19 pandemic has exposed grave weaknesses in the public health information infrastructure.
3. The convergence of clinical and administrative data standards is gaining recognition and crossing the boundaries of traditional data and program silos.
4. The COVID-19 pandemic has exposed critical weaknesses in the public health information infrastructure.
5. Health information privacy and security challenges have proliferated.

REVIEW: 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

REVIEW: Progress and Status of HIPAA Implementation



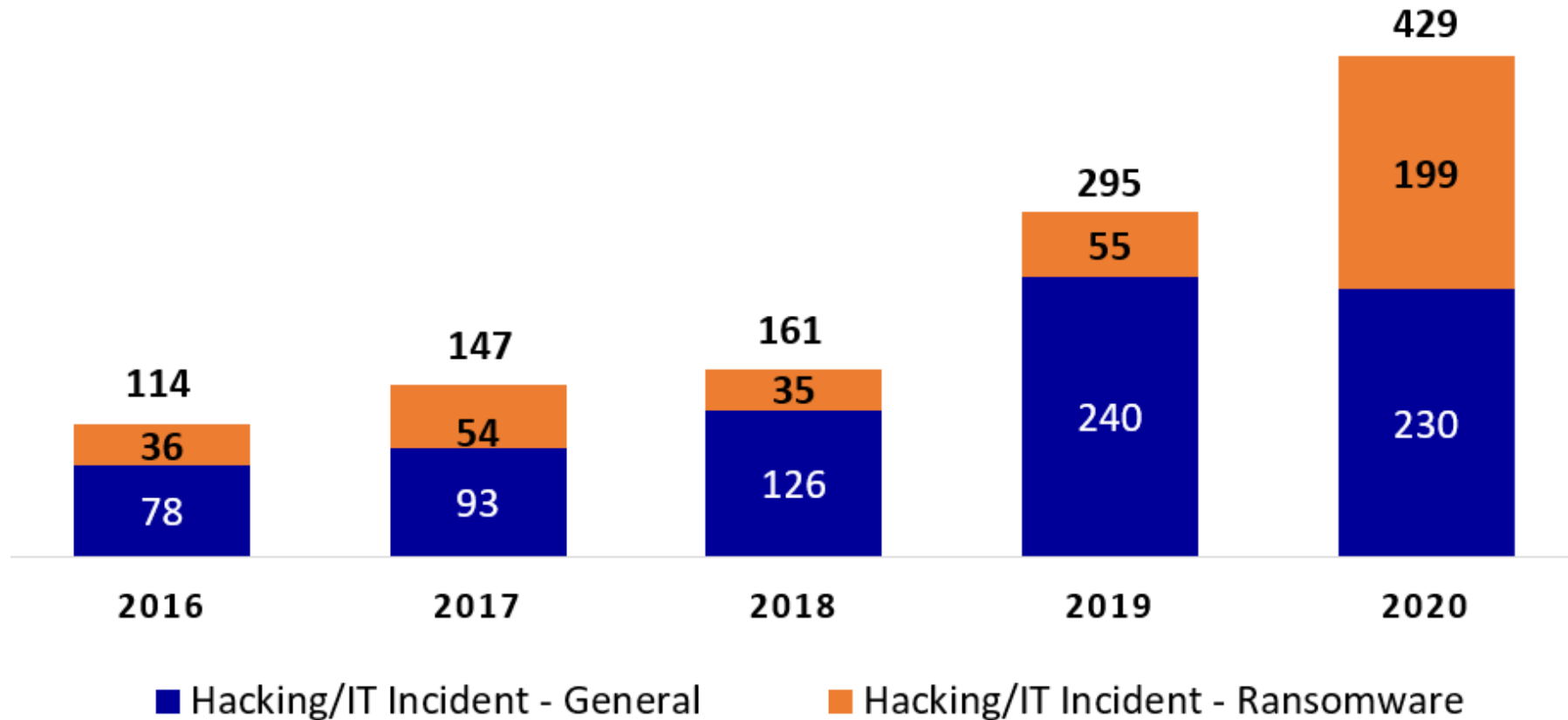
B. HIPAA Privacy, Security, and Breach Notification

- 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

REVIEW: from Last RTC



500+ Breaches Involving Hacking and Ransomware Incidents



REVIEW: from Last RTC



2020 OCR HIPAA Enforcement Actions

Feb-20	Steven A. Porter, M.D.	\$100,000
Mar-20	CHSPSC	\$2,300,000
Mar-20	Metropolitan Community Health Services	\$25,000
Mar-20	Premera Blue Cross	\$6,850,000
Jun-20	Housing Works, Inc.	\$38,000
Jun-20	Lifespan	\$1,040,000
Jul-20	All Inclusive Medical Services, Inc.	\$15,000
Jul-20	Athens Orthopedic Clinic PA	\$1,500,000
Aug-20	Beth Israel Lahey Health Behavioral Services	\$70,000
Aug-20	King MD	\$3,500
Aug-20	Wise Psychiatry, PC	\$10,000
Sept-20	St. Joseph's Hospital and Medical Center	\$160,000
Sept-20	NY Spine Medicine	\$100,000
Oct-20	Aetna	\$1,000,000
Oct-20	City of New Haven, CT	\$202,400
Oct-20	Riverside Psychiatric Medical Group	\$25,000
Oct-20	Dr. Rajendra Bhayani	\$15,000
Nov-20	University of Cincinnati Medical Center	\$65,000
Dec-20	Elite Primary Care	\$36,000

REVIEW: from Last RTC



Percent Industry Implementation of Transaction Standards	2013	2016	2017	2018	2019	2020
Health care claim submission	90%	94%	95%	96%	96%	96%
Eligibility for a health plan	65%	76%	79%	85%	84%	84%
Coordination of benefits	NR	56%	75%	80%	86%	89%
Health care claim status inquiry/response	48%	63%	69%	71%	70%	72%
Claim payment (EFT)	50%	62%	60%	63%	70%	71%
Remittance advice	43%	55%	56%	48%	51%	57%
Prior Authorization	NR	18%	8%	12%	13%	21%
Attachments (no std adopted)		NR	6%	NR	20%	22%

Table 1. CAQH Efficiency Index, 2013-2020, <https://www.caqh.org/sites/default/files/explorations/index/2020-caqh-index.pdf>

REVIEW: Looking Ahead to 2021-22 and NCVHS Focus Areas



A. National Health Information Challenges & Opportunities

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



B. NCVHS Focus Areas in the Period Ahead

1. Promoting convergence of clinical, administrative, social and public health data
2. Improving the health care industry's security posture
3. Monitoring and advising on ICD-11 readiness
4. Identifying new approaches for data collection, sharing, linkages, and analytic methods to address health inequities

REVIEW: Appendices



1. NCVHS Statutory Reporting Requirements for HIPAA
2. About Administrative Simplification (a chronology)
3. Summary Compilation of NCVHS Recommendations, Reports and Activities during the reporting period
4. Acronyms
5. Membership

NCVHS RTC Status – Where are we today?



- **Framing discussion**
- **Reporting Period: January 1, 2021 to December 31, 2022**
- **Topics to consider:**
 - Notable changes and activities over the last 2 years
 - Significant notable policy issues
 - Focus areas, e.g.
 - Revisit Beyond HIPAA

NCVHS RTC Status – Approaches



➤ Possible Approaches to Framing:

- a. Prepare new report
- b. Update current report
- c. Prepare brief synopsis and attach to 2021 RTC
- d. Other?

➤ Reporting Period: January 1, 2021 to December 31, 2022



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Discussion