



HIPAA: Administrative Simplification

Michael Cimmino, Director
National Standards Group
Centers for Medicare and Medicaid Services
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Topics

- **NSG's work over the past year**
- **Our focus for this year**
 - **Regulatory and Recent Guidance**
 - **Enforcement and Compliance Processes**
 - **NPPES Updates**
- **Future Priorities**
 - **HIPAA Modernization**
 - **Prior Authorization**
 - **ICD-10 to 11**



NSG's Focus in 2023

- Expanding our presence in the industry
- Supporting forums to hear from our stakeholders
- Ensuring we are providing communications and guidance that are responsive to industry needs



Examples

- **Guidance**

- [Guidance on National Provider Identifier \(NPI\) Enumeration \(PDF\)](#) - clarifies the prohibition at 45 CFR § 162.412(b) that a health plan may not require a health care provider that has been assigned an NPI to obtain an additional NPI
- Enforcement Discretion for Referral Certification and Authorization Transaction Standard at 45 CFR § 162.1302



Focus for 2024

- **Regulatory work**

- Administrative Simplification: [Modifications to NCPDP Retail Pharmacy Standards \(CMS-0056-P\)](#)
- Administrative Simplification: [Adoption of Standards for Health Care Attachment Transactions and Electronic Signatures Final Rule \(CMS-0053-P\)](#)
- IFR to adopt CAQH CORE Operating Rules recently recommended by NCVHS
- We are continuing to explore options for a possible path forward for the X12 standard Version 8020 for the Claims and Remittance Advice transactions



Enforcement Efforts

- **Concerns potential violations of rules for:**
 - Electronic transactions
 - Operating rules
 - Code sets
 - Unique identifiers
- File a complaint through:
[Administrative Simplification Enforcement and Testing Tool \(ASETT\)](#)



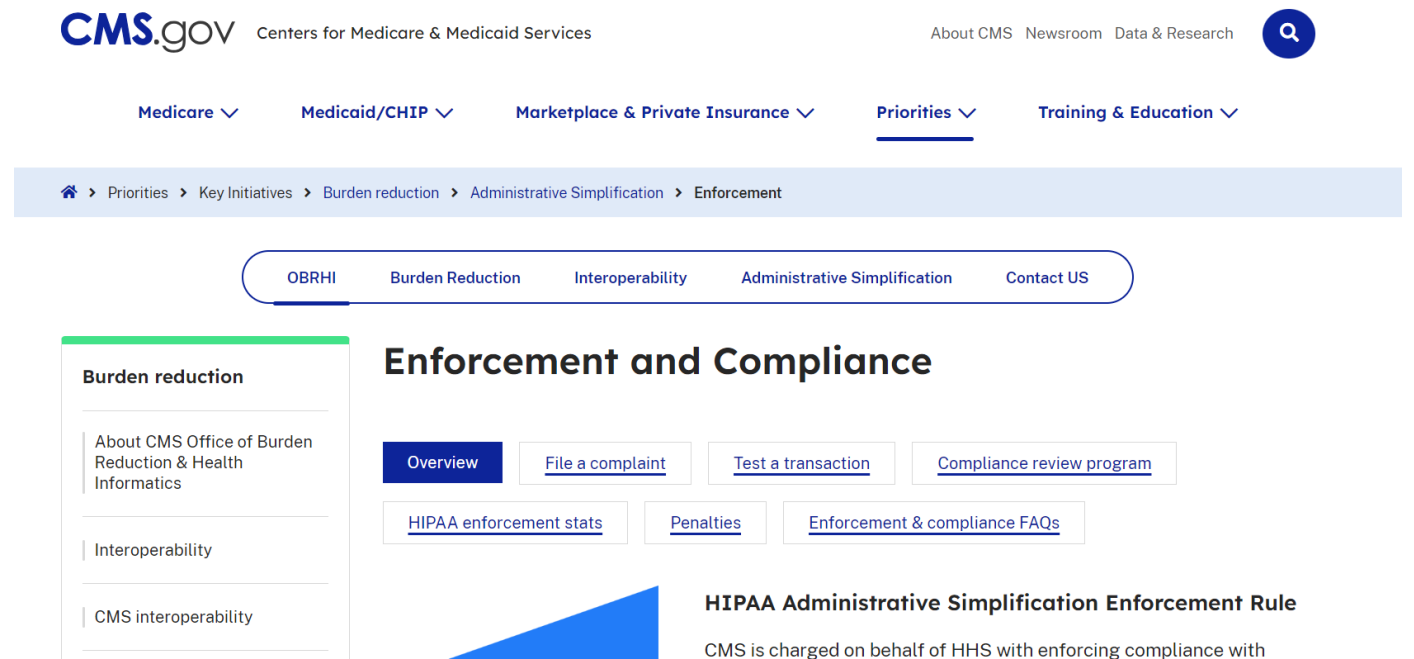
Compliance Review Process

- In 2019, NSG expanded our enforcement work to include compliance reviews
- Focuses on health plans and clearinghouses
- Assists covered entities in identifying vulnerabilities in achieving compliance with standards and operating rules
- Current goal is to increase our sample size and make this process more impactful

Enforcement and Compliance Resources

For additional information on our enforcement work, please visit our website:

<https://www.cms.gov/priorities/key-initiatives/burden-reduction/administrative-simplification/enforcement>



The screenshot shows the CMS.gov website interface. At the top left is the CMS logo and the text "Centers for Medicare & Medicaid Services". To the right are links for "About CMS", "Newsroom", and "Data & Research", along with a search icon. Below this is a navigation menu with categories: "Medicare", "Medicaid/CHIP", "Marketplace & Private Insurance", "Priorities" (which is underlined), and "Training & Education". A breadcrumb trail below the menu reads: "Home > Priorities > Key Initiatives > Burden reduction > Administrative Simplification > Enforcement". A secondary navigation bar contains "OBRHI", "Burden Reduction", "Interoperability", "Administrative Simplification", and "Contact US". The main content area is titled "Enforcement and Compliance" and features several buttons: "Overview", "File a complaint", "Test a transaction", and "Compliance review program". Below these are links for "HIPAA enforcement stats", "Penalties", and "Enforcement & compliance FAQs". A blue triangle graphic is partially visible. The text "HIPAA Administrative Simplification Enforcement Rule" is displayed, followed by the sentence "CMS is charged on behalf of HHS with enforcing compliance with".

NPPES Updates

- Gender Updates
 - New options for gender to mirror other federal processes
 - Two new options are:
 - X- Unspecified and U – Undisclosed
- Address Updates
 - Allows the use of a PO Box for a practice address
 - To be used in circumstances where a provider solely practices out of their home
 - In response to privacy and safety concerns raised by providers



Future Priorities and Work



HIPAA Modernization

- Based on industry feedback regarding the HIPAA standards development and adoption process
- Where can we create efficiencies, time savings, and predictability
- Better evaluation of a standard prior to adoption



Future Priorities

- **Current enforcement discretion re: 278 prior authorization**
 - Unique circumstance given the current exception testing an all-FHIR prior auth process
 - An all-FHIR PA process would need to undergo the standards evaluation process, and would require a formal recommendation consistent with our statutory process
 - In the meantime, we are working on releasing an FAQ document



Future Priorities

- **Transition from ICD-10 to ICD-11**
 - NSG continues to evaluate industry readiness as well as the coordination and time needed to undertake such a transition



Resources

For additional resources, please visit the NSG Admin Simp website at:

<https://www.cms.gov/priorities/key-initiatives/burden-reduction/administrative-simplification>

Should you have more specific questions, please reach out to our general inbox: AdministrativeSimplification@cms.gov

Thank you!