

Summary to the National Committee of Vital and Health Statistics, Subcommittee on Standards

The Designated Standards Maintenance Organizations (DSMO) was formed through the Final Rule and Notice, titled Health Insurance Reform: Standards for Electronic Transactions; Announcement of Designated Standard Maintenance Organizations, published on August 17, 2000. The DSMO provides a collaborative opportunity for the participating organizations to process change requests received for HIPAA transactions and code sets. The members of the DSMO consider multiple view points and evaluate change requests for the impact they may have on all HIPAA-named transactions. The DSMO includes representatives from the standards development organizations as well as the content committees¹ - collectively they are able to bring different perspectives. As such, they can review DSMO requests with different perspectives. This brings consistency to the reviews, but still provides different points of view based on membership of the organizations. The DSMO website provides a single point of entry for 1) entering change requests; 2) recording of DSMO action taken on the change request; and, 3) an annual DSMO report presented to the National Committee on Vital and Health Statistics (NCVHS).

The DSMO recognize that from time to time all organizations benefit from a review of existing processes. The following provides a list of process improvements. According to our initial review five of the six organizations recommend that the DSMO should continue to perform their core review function for improving the health care HIPAA standards.

The members of the DSMO that wish to state differing opinions will provide information at the November NCVHS meeting.

DSMO Recommendations

Problem Statement 1:

There is a perception that changes to a HIPAA standard can turn into a lengthy process and may not be capable of meeting the business needs of the industry. To address this problem, the Patient Protection and Affordable Care Act (PACA) requires the Secretary to establish a review committee, not later than April 1, 2014 which will meet not less than biennially thereafter. The Secretary, acting through the review committee, shall conduct hearings to evaluate and review the processes for adopting new or revised standards as well as incorporating operating rules to support the standards.

As part of the overall process, the DSMO required timeline may impact the timeliness of the change to the next version of the implementation specification released. For change requests that come in through the DSMO process, the current timeline allows for 10 days for opting into the change request; 90 days for each DSMO member to review and vote on; and a 45 day extension if more time is needed.

ASC X12 has streamlined the process of moving new versions of the HIPAA Standards forward in a two year cycle.

DSMO Recommendation:

The DSMO recommends that the review committee continue to be the NCVHS Subcommittee on Standards, particularly since there is an established process and relationship that can be used. For the sake of consistency, the DSMO supports the established process of DSMO to NCVHS to Secretary of HHS to regulations and that this process continues to be used going forward.

¹ The DSMO consists of standards development organizations of Accredited Standards Committee X12 (ASC X12), Health Level Seven (HL7) International, and the National Council for Prescription Drug Programs (NCPDP). The DSMO consists of data content committees of the American Dental Association (Dental Content Committee) (ADA DeCC), National Uniform Billing Committee (NUBC), National Uniform Claim Committee (NUCC).

The DSMO plans to create a more effective triage process for handling incoming change requests thereby streamlining the change review process. It should be noted that modifications to process timeframes will require a change in the DSMO Memorandum of Understanding (MOU). In addition, each individual organization will need to evaluate and adjust their operations and approve the modifications. Some suggested changes under consideration include:

- Decrease the number of days for DSMO members to opt-in on change requests to 5 days (currently 10).
- Allow the DSMO members to their post recommendations during the 5-day opt-in period.
- Decrease the number of days for the DSMO members to review change requests to 60 days (currently 90).
- Refine the process for when an organization can request an extension.
- Develop a change request triage process to meet early in the month to quickly determine whether change requests should be deferred to another entity.
 - Continue to allow invited observers to DSMO calls (including organizations that develop or maintain operating rules, code sets, etc) to assist in effectively triaging change requests early.
 - The DSMO will provide documentation for the invited observers to manage expectations of change requests. Expectations could include the observer organization providing the DSMO with a disposition status of change requests – the completion timeframe, the action taken, etc.

Problem Statement 2:

Sometimes industry stakeholders do not know where to go to request a change. The process of submitting a change request is not widely understood in the industry.

DSMO Recommendation:

The DSMO recommends that their website be redesigned to provide additional education and guidance on how to submit change requests. The DSMO would need to determine funding to incorporate these website changes. Additional guidance will help some “power users” to better understand the type of change they are requesting and the direction of where their change request could be directly submitted. There are other submitters who do not know whether their request could be resolved by a code set maintainer or through interpretation or clarification of the standard reporting requirement.

- The DSMO would provide more change request education on the website, including where to send change requests that are not appropriate for the DSMO site for those submitters that wish to go to the source organization.
- The DSMO website would handle any change request submitted regardless of the type of change (standards, operating rules, content or code sets).
- The DSMO would develop a decision tree to
 - Assist a submitter for where they could go directly to request a change, and
 - Explain how the DSMO will triage the change requests they receive.
- Individual organizations will be asked to offer more DSMO information on their websites.
 - To include information about DSMO change request process on their individual websites (or add more information to what they have already published).

Problem Statement 3:

The current DSMO website form for requesting changes needs to be updated. The information requested is not always sufficient or appropriate for the DSMO review process.

DSMO Recommendation:

The current DSMO website form for requesting changes will need updating. Today, the information provided is not always sufficient or appropriate for the DSMO review process.

Changes to the DSMO change request form may include:

- Elimination of the requester identifying a solution. Currently the requester can submit the resolution and this often leads to issues within DSMO where the concept of the request is approved, but DSMO does not approve the submitter's solution.
- Emphasize the importance of the requester defining the business need.
- Evaluate and update the "Type of Request" categories.
- Streamline the questions needed when entering an ASC X12 change request.

Problem Statement 4:

There are some gaps in the ability to finalize a change request.

DSMO Recommendation:

- Support adding new categories for deferring change requests to other entities.
- Notify submitter that their change request was deferred to another entity.
- Analyze the recommendation/disposition categories.
- Establish a flow that captures how items deferred to another entity are reported back to the DSMO for closure.

Other Observations

1. The change request only works if the public identifies needed changes and submits change requests for those changes.

DSMO Recommendation:

The DSMO recommend that updated education may help solve this problem.

2. The recommendations above seek to further streamline the DSMO process, but the regulatory process still takes the largest amount of time.

DSMO Recommendation:

The DSMO look to NCVHS and HHS for assistance.

3. The industry wants the opportunity to be able to move versions, but how often is still a difficult question.

DSMO Recommendation:

ACA modifications allow the publication of Interim Final Rules and the ability for regulations to be issued on a predictable and timely basis. Perhaps this will assist the industry in preparing for routine adoption of newer versions of the standard.

4. The DSMO must be made aware of the impact of other regulations on the standards. The HIPAA Privacy regulations had significant impact on the standards. The NPI regulations affected the standards. It is anticipated that the health plan identifier (HPID) regulations and regulations from the Office of the National Coordinator (ONC) will impact the standards.

DSMO Recommendation:

The DSMO look to HHS for assistance in providing this information.