

# HIPAA NEWS

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## Special points of interest:

- CMS HIPAA Information Series
- ACS's EDI Gateway
- Enforcement Rule
- Question of the Week

## CMS PUBLISHES HIPAA INFORMATION SERIES

Just in time for implementation, the Centers for Medicare and Medicaid Services (CMS) has published a series of ten informational papers on HIPAA implementation. They are intended to communicate to the health care community key concepts and requirements contained in HIPAA—the Health Insurance Portability Act of 1996.

Information series topics are:

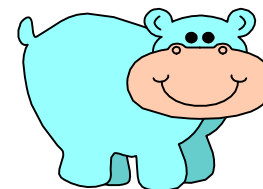
1. HIPAA 101
2. Are you a covered entity?
3. Key HIPAA dates and tips for getting ready
4. What electronic transactions and code sets are standard-

- ized under HIPAA?
5. Is your software vendor or billing service ready for HIPAA?
6. What to expect from your health plans
7. What you need to know about testing
8. Trading partner agreements
9. Final Steps for compliance with Electronic Transactions and Code Sets
10. Enforcement

The entire series can be found at [www.cms.gov/hipaa/hipaa2/education/infoserie/](http://www.cms.gov/hipaa/hipaa2/education/infoserie/)

CMS also has an upcoming HIPAA Roundtable on June 25, 2003,

2:00–3:30 PM EST, focusing on HIPAA Administrative Simplification, specifically electronic transactions and code sets and security. Call-in number: 1-877-381-6315, Conference ID number: 427383, Callers are requested to RSVP to Alikia Brown at [Abrown1@cms.hhs.gov](mailto:Abrown1@cms.hhs.gov) or by fax to 410-786-1710.



## WHAT ARE THE ADDENDA?

Changes to the initial electronic standards were adopted in the February 20, 2003 Modification Rule. The modifications were approved by industry groups and facilitate implementation of the adopted standards. These changes are detailed in documents called the "addenda." The addenda sup-

plement the original implementation guides, which provide the technical details for each standard. The original implementation guides for HIPAA's electronic transactions and code sets are known as version 4010. The subsequent addenda are referred to as version 4010A. The addenda also adopt

modified standards for two transactions that were not included in the proposed modifications rule—Premium Payments and Coordination of Benefits. For more information on the implementation guides and addenda for the transactions providers use most frequently, see paper 4 in the CMS Information Series.

## PAPER VS. ELECTRONIC BILLING

As of September 27, 2003, Wyoming EqualityCare and ACS will convert to a HIPAA-compliant claims payment system and will no longer accept non-HIPAA-compliant claims for payment. THIS MEANS each provider will have to choose a method of claims submission, each of which will have a specific result.

1. Submit HIPAA-compliant electronic claims transactions and continue to receive payment within an average

- of 2-7 days.
2. Submit non-HIPAA-compliant electronic claims to your own vendor or clearinghouse, where they will be converted to HIPAA-compliant claims for submission to ACS. Non-HIPAA-compliant electronic claims submitted directly to ACS will be rejected and you will not receive payment.
3. Submit paper claims to

ACS, and receive payment within 30 days.

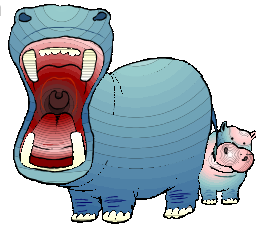
If you are billing paper claims now and would like to begin billing electronically, please call ACS Provider Relations at 1-800-251-1268 or visit the provider website at <http://wyequalitycare.acs-inc.com/>.

## ENROLL TO SEND ELECTRONIC CLAIMS TO ACS EDI GATEWAY

The State of Wyoming is pleased to announce that starting September 27, 2003 all electronically submitted claims for Wyoming Medicaid will be sent to ACS's EDI Gateway. ACS EDI has been processing electronic Medicaid claims for almost a decade. In fact, many of you might already have a connection to ACS EDI through your Billing Agent/Clearinghouse or a neighboring State's Medicaid program.

What does this mean for you?

First, you will be asked to enroll with ACS the EDI



### Mark the Date

Gateway. If you are currently billing electronically, you will be con-

tacted by ACS EDI Gateway to begin this process over the coming weeks. Next, if you currently send your claims directly to the ACS dial-up modem in Cheyenne, you will be required to redirect your dial-up to the EDI Gateway. This involves simply changing your modem access number in your current claims software. Finally, ACS is pleased to offer its WINASAP2003 claims submission software. WINASAP2003 will replace the ACE\$ claims software currently deployed. WINASAP2003 is Microsoft Windows-based and creates a HIPAA compliant transaction.

EDI training will be offered at the Wyoming Medicaid provider sessions scheduled for July 28 and 29. More information pertaining to this transition, HIPAA Companion Guides, enrollment and WINASAP2003 can be found at the ACS EDI web site

(www.acs-gcro.com). This website will contain all documentation regarding submitting electronic transactions to Wyoming Medicaid and will be updated regularly.

An ACS EDI Survey was mailed to Vendors, Billing Agents, and Hospitals on 04/07/03. If you did not receive the EDI Survey and you use a Vendor or Billing Agent to submit your Wyoming Medicaid claims electronically, please go to the ACS EDI web site (www.acs-gcro.com), print, complete, and mail the survey to the address listed on the survey. Completion of the ACS EDI Survey is vital for enrollment and testing purposes with EDI.

*It didn't happen if you didn't bill it!*

## AVAILABLE MEDICAID TRAINING

It is not too late to register for the Office of Medicaid Billing Workshop Telebroadcast!

However, space is filling up quickly so either mail or fax the attached registration form and return it to the Office of Medicaid by July 21, 2003. Registration forms may also be found on the ACS website (<http://wyequalitycare.acs-inc.com/>).

Confirmations will **not** be mailed out for this registration, you will only be notified if there is **not** any more space available for the location and date that you have selected.

The training dates are scheduled

for **July 28, 2003, 9:00 A.M.– 12:00 Noon** and **July 29, 2003, 9:00 A.M.– 12:00 Noon**. You will only need to attend one of the training dates.

The billing workshop will be held at various video conference locations throughout the State and will give providers information on the changes that are necessary in order to bill Medicaid. (See attached registration form for the video conference locations)

**\* Look for the Power Point presentations on the ACS website (<http://wyequalitycare.acs-inc.com/>) on July 14, 2003. You may download and copy the presentations for the up-**

coming Billing Workshop.



## ENFORCEMENT RULE: CIVIL MONEY PENALTIES

This interim enforcement final rule establishes rules of procedure for the imposition, by the Secretary of Health and Human Services, of civil money penalties on entities that violate standards adopted by the Secretary under the Administrative Simplification provisions of the Health Insurance Portability and Accountability Act of 1996, Pub. L. 104-191 ("HIPAA"). We intend that this be the first installment of a rule that we term the "Enforcement Rule." The Enforcement Rule, when issued in complete form, will set forth

procedural and substantive requirements for imposition of civil money penalties. In the interim, we are issuing the rules of procedure to inform regulated entities of our approach to enforcement and to advise regulated entities of certain procedures that will be followed as we enforce the Administrative Simplification provisions of HIPAA. A correction to the Interim HIPAA Enforcement Rule was published in the April 28, 2003 Federal Register. The rule as originally published April 17 had an

expiration date of September 16, 2003; the correct expiration date is September 16, 2004.

HHS is taking public comments to this interim rule, which are due by June 16, 2003. For the complete rule and instructions for providing comments, visit the following website: <http://www.hhs.gov/ocr/moneypenalties.doc>.

## HIPAA QUESTION OF THE WEEK

**Question:** How are health care providers supposed to provide the privacy notice to individuals and obtain their written acknowledgement of the notice when the first treatment encounter is over the phone or in some other manner that is not face-to-face?

**Answer:** The HIPAA Privacy Rule is intended to be flexible enough to address the various types of relationships that covered health care providers may have with the individuals they treat, including those treatment situations that are not face-to-face. For example, a health care provider who first treats a patient over the phone satisfies the notice provision requirements of the privacy Rule by mailing the notice to the individual the same day, if possible. To satisfy the requirement

that the provider also make a good faith effort to obtain the individual's acknowledgment of the notice, the provider may include a tear-off sheet or other document with the notice that requests that the acknowledgement be mailed back to the provider. The health care provider is not in violation of the Rule if the individual chooses not to mail back an acknowledgement; and a file copy of the form sent to the patient would be adequate documentation of the provider's good faith effort to obtain the acknowledgement.

Where a health care provider's initial contact with the patient is simply to schedule an appointment or a procedure, the notice provision and acknowledgement requirements may be satisfied

at the time the individual arrives at the provider's facility for his or her appointment.

For service provided electronically, the notice must be sent electronically automatically and contemporaneously in response to the individual's first request for service. In this situation, an electronic return receipt or other return transmission from the individual is considered a valid written acknowledgement of the notice.



*"HIPAA-vated"*

## HIPAA WEBSITES AND LINKS

A HIPAA website dedicated to Medicaid is located at: [www.cms.hhs.gov/medicaid/hipaa/admsim/](http://www.cms.hhs.gov/medicaid/hipaa/admsim/). The DHHS website includes information on the administrative simplification provision of HIPAA, general information about the law, explanation of rule making process, etc. and can be found at <http://aspe.os.dhhs.gov/admsimp>.

The DHHS Office of Civil Rights maintains a website devoted to

implementation of the HIPAA privacy provisions. It is <http://www.hhs.gov/ocr/hipaa/>.

Another website dedicated to HIPAA was developed by Phoenix Health Systems - the HIPAA Advisory - can be found at [www.hipaadvisory.com](http://www.hipaadvisory.com).

The WEDI HIPAA SNIP Task-Group has been established

to meet the immediate need to assess industry-wide HIPAA Administrative Simplification implementation readiness and to bring about the national coordination necessary for successful compliance. Information on the WEDI/SNIP group can be found at their website: <http://snip.wedi.org>.

# YOUR HIPAA NEWSLETTER

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With this publication, Wyoming's Office of Medicaid and the Department of Health will provide members with the latest information on HIPAA regulations and compliance, including detailed overviews of specific requirements for providers and implementation tips and Web site resources. If you would like to receive a copy of the HIPAA NEWS, please e-mail us at [hipaa@state.wy.us](mailto:hipaa@state.wy.us) and ask that your name be added to the mailing list. Copies can also be downloaded from the ACS Wyoming Medicaid website: <http://wyequalitycare.acs-inc.com/>.



HIPAA AND YOU!

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The Wyoming Department of Health is the primary State agency for providing health and human services. It administers programs maintaining the health and safety of all citizens of Wyoming.

## Mission

We envision a Wyoming in which all citizens are able to achieve their maximum health potential; a Wyoming in which early intervention, wellness, health promotion, and health maintenance programs are the primary approach for solving health problems; a Wyoming in which all citizens have regular access to basic health care; a Wyoming in which at-risk citizens receive culturally appropriate and sensitive services; a Wyoming in which we and future generations are healthy, vital, and productive so as to seize the opportunity to live our individual dreams and enjoy the benefits of our bountiful resources and natural beauty.



Wyoming  
Department of Health  
Office of Medicaid

Our mission is to promote, protect and enhance the health of all Wyoming citizens.

*We're on the  
web. Visit us at  
[www.state.wy.us](http://www.state.wy.us)*