



eMedNY General Updates

CMS Announces a Discretionary Enforcement Period for 5010 Compliance

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On November 17, 2011 the CMS Office of E-Health Standards and Services published an Informational Bulletin announcing that it would not initiate enforcement action with respect to any HIPAA covered entity non-compliant with Version 5010 or Version D.0 standards until 90 days after the January 1, 2012 compliance date. The announcement gives covered entities enforcement discretion but clearly states that the compliance date for use of the new standards remains January 1, 2012. All covered entities are urged to continue working with their trading partners toward the January 1 compliance date.

New York Medicaid will follow the discretionary enforcement guidelines announced by CMS. For the period of January 1, 2012- March 31, 2012 Medicaid will continue to operate a dual system, accepting and processing HIPAA Versions 4010 and 5010 and NCPDP Versions 5.1 and D.0. formats. The 90 day discretionary enforcement period though should not divert providers/vendors from their current 5010 compliance strategy and timeframe. Our providers and vendors have been making great stride to assure compliance by January 1, 2012 and we expect them to continue with their aggressive efforts. The Department and CSC have extensive educational and technical resources available to assist providers/vendors still experiencing difficulties with their compliance efforts. Information on these resources can be found at www.emedny.org or by contacting the eMedNY Call Center at 800-343-9000.

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