

CMS Discretionary Enforcement Period for HIPAA Version 5010/D.0/3.0 Compliance

On March 15, 2012, the Centers for Medicare & Medicaid Services' (CMS) Office of E-Health Standards and Services (OESS) announced that it will extend the discretionary enforcement period for compliance with HIPAA X12 Version 5010, National Council for Prescription Drug Programs (NCPDP) D.0 and NCPDP 3.0 transactions for an additional three (3) months -- from March 31, 2012 to June 30, 2012.

The compliance date for use of the HIPAA X12 Version 5010 and the NCPDP Version D.0 & 3.0 transactions was January 1, 2012; however, CMS/OESS stated in a previous announcement on November 17, 2011 that enforcement action would not be initiated until March 31, 2012. Complaints regarding non-compliance are still being accepted by OESS during the discretionary enforcement period.

Although CMS reported that health plans, clearinghouses, providers and software vendors have been making steady progress, there are still remaining issues that warrant an extension of enforcement discretion to ensure that all entities can complete the transition. OESS expects that transition statistics will reach 98 percent industry wide by the end of the June 30, 2012 discretionary enforcement period.

The CMS announcement of the additional 3 month extension came shortly after the Medical Group Management Association (MGMA), and its standard-setting body, the American College of Medical Practice Executives (ACMPE) posted a [letter](#) it sent to Marilyn Tavenner, CMS Acting Administrator, in which the group asked for more time and more help from health plans and clearinghouses in identifying errors in Version 5010 claims.

Payers may lawfully refuse to accept non-compliant HIPAA X12 Version 4010/NCPDP Version 5.1 during the discretionary enforcement period; however, TRICARE is continuing to accept and process HIPAA X12 Version 4010/NCPDP Version 5.1 claims during this discretionary enforcement period in order to avoid payment disruption for providers who are still working to be HIPAA X12 Version 5010/NCPDP D.0/3.0 compliant.

All covered entities are encouraged by CMS to continue working with their trading partners to become compliant with the new HIPAA standards. For more information on the CMS compliance enforcement grace period, please [click here](#).

Please send any comments and questions to HIPAATCSIMail@tma.osd.mil