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## Impacts of the House and Senate Health Care Reform Bills Currently Under Debate

The Military Health System (MHS) is monitoring the status of House and Senate versions of the Health Care Reform bills (H.R. 3962 and H.R. 3590) currently under debate. Both Bills are designed, “to provide affordable, quality health care for all Americans and reduce the growth in health care spending and for other purposes.”

In addition, both versions contain language that significantly impact HIPAA Administrative Simplification requirements as they pertain to Electronic Standard Transactions. For example, H.R. 3962 Sec. 1173A requires that all paper versions of standardized transactions comply with the same standards used for electronic transactions. The same section of the Bill requires accommodating necessary changes between versions by developing a process for upgrading standards on an annual basis just as many code sets are currently updated. Other key provisions include:

- Enforcement provisions - The addition of random audits and certification process to ensure that all health plans and clearinghouses are both syntactically and functionally compliant with all the standard transactions mandated by the provisions.
- Elimination of multiple companion guides – Adoption of a single, binding companion guide, including operating rules for each X12 Version 5010 transactions. The companion guides and operating rules for the Eligibility and Claim Status transactions would be adopted by 2011 and effective by 2013.
- Timelines for promulgation of certain Interim and Final Rules that are yet to be finalized under HIPAA including:
  - Interim Final Rule for Claims Attachments with in one year of enactment
  - Interim Final Rule for a Unique Health Plan Identifier by October 2012,
  - Interim Final Rule for Standards for First Report of Injury by January, 2014.
- Data Harmonization – Provisions that require harmonization of all common data elements across administrative and clinical transaction standards.
- Use of a standard electronic transaction with which health care providers can enroll in a health plans.

Dates and details for each of the above vary slightly in each version of the bill. For a side-by-side comparison of the Administrative Simplification provisions of these bills, please see the “What’s New?” item for December 2009 at <http://www.tricare.mil/tma/hipaa/whatsnew.aspx>

H.R. 3962 and the H.R.3590 can be found in their entirety at [www.thomas.gov](http://www.thomas.gov).

