

Health Information Compliance Alert

HIPAA Guidance: CMS AIDS ENTITIES STRUGGLING WITH IDENTITY

Still wondering how to determine when a business falls under the definition of a health care clearinghouse? Or how about who qualifies as a health care provider? Well, you just happen to be in luck.

The **Centers for Medicare and Medicaid Services** Sept. 27 issued further guidance intended to dispel myths and provide greater clarification for entities still struggling to settle on their status as covered entities under the Administrative Simplification standards of the Health Insurance Portability and Accountability Act.

CMS provides four data flow charts that answer the following: 1) Is a person, business, or agency a covered health care provider? 2) Is a business or agency a health care clearinghouse? (See article # 6 chart) Is a private benefit plan a health plan? and 4) Is a government-funded program a health plan?

The charts ask individuals to answer several questions in order to determine their status as a covered entity. The tools essentially ask yes-or-no questions and are available on CMS Web site either in a decision tree format or, like the example below, in a flow chart form.

Editors Note: To see the entire CMS release, go to www.cms.hhs.gov/hipaa/hipaa2/support/tools/decisionsupport/default.asp.