

Health Information Compliance Alert

HIPAA Transactions: CMS WEIGHS IN ON MANAGED CARE HIPAA CONCERNS

While the **Centers for Medicare & Medicaid Services**, in its role as a health plan, counts as a covered entity under the Health Insurance Portability and Accountability Act, Medicare managed care organizations aren't considered CMS business associates under HIPAA.

So says CMS in a recent frequently asked questions document on HIPAA and managed care. "Medicare MCOs are operating as health plans and are not conducting business on behalf of CMS," the agency explains.

The 34-entry FAQ also makes clear that CMS plans to request a compliance extension for the HIPAA transaction standard, as permitted under legislation passed late last year. Other questions involve the appropriate ways to handle the 834 enrollment.

Editor's Note: To see the FAQ, go to www.hcfa.gov/medicare/jan29question.pdf.