

Health Information Compliance Alert

Industry Notes: Feds Rework ONC Final Rule Timeline

Plus: Get the scoop on 11 new telehealth additions.

If you were worried about complying with recently finalized requirements on information blocking, you've got some time. Due to the COVID-19 public health emergency (PHE), the feds have decided to give providers more time to adapt their IT and refine their policies.

Then: Last March, the **HHS Office of the National Coordinator for Health Information Technology** (ONC) issued a final rule that followed through on IT provisions mandated by the 21st Century Cures Act. According to the rule, which was published in the Federal Register on May 1, providers had to be in compliance with certain requirements by Nov. 2, 2020 (see Health Information Compliance Alert, Vol. 20, Nos. 6 and 7).



Now: On Oct. 29, the **Department of Health & Human Services** (HHS) extended the compliance timeframes to accommodate the healthcare industry as it continues to wrestle with the PHE in an interim final rule. The update impacts "certain requirements related to information blocking and Conditions and Maintenance of Certification (CoC/MoC) requirements," HHS said in a release. This interim final rule was published in the Federal Register on Nov. 4.

Five of the provisions, which include those related to information blocking, are now scheduled for a compliance date of April 5, 2021. The other requirements have staggered ramp-up time frames ranging from Dec. 31, 2022 to Dec. 31, 2023.

"We are hearing that while there is strong support for advancing patient access and clinician coordination through the provisions in the final rule, stakeholders also must manage the needs being experienced during the current pandemic," said **Don Rucker, MD**, national coordinator for health IT in a release. "To be clear, ONC is not removing the requirements advancing patient access to their health information that are outlined in the Cures Act Final Rule. Rather, we are providing additional time to allow everyone in the healthcare ecosystem to focus on COVID-19 response."

Resource: Review the interim final rule at:

www.federalregister.gov/documents/2020/11/04/2020-24376/information-blocking-and-the-onc-health-it-certification-program-extension-of-compliance-dates-and.