

# Health Information Compliance Alert

## Enforcement News: CMS Updates Texting Rules

Texting is the communication modus operandi of most patients these days. Healthcare providers also utilize the technology for its ease of use, but CMS warns that it's not for all matters of health data sharing.

CMS clarified its mandates on texting on Dec. 28, 2018 with an update. Here is a quick overview:

- Healthcare team members may text patient information to each other as long as the texting platform is secure and the information is protected.
- "Texting of patient orders is prohibited regardless of the platform utilized," said the agency in the release.
- When it comes to entering patient orders into the system, CMS wants healthcare providers to use a Computer Provider Order Entry (CPOE).

**Reminder:** CMS cautioned providers who want to service Medicare and Medicaid patients that they must follow the health IT compliance rules of Conditions of Participation (CoPs) and Condition for Coverage (CfCs). "All providers must utilize and maintain systems/platforms that are secure, encrypted, and minimize the risks to patient privacy and confidentiality as per HIPAA regulations and the CoPs or CfCs," warned CMS.

**Resource:** To see the CMS texting memorandum, visit

[www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-18-10.pdf](http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Downloads/Survey-and-Cert-Letter-18-10.pdf).