



HIPAA Alert

Health Insurance Portability and Accountability Act of 1996

ODMH/ODADAS • Alert No. 25 • May 14, 2007

Attention ADAMHS/ADAS/CMHS Boards, providers, associations and interested parties

Response to CMS Guidance Regarding Enforcement of NPI Rule

On April 2, 2007, the Centers for Medicare and Medicaid Services (CMS) issued [guidance on enforcement of the HIPAA National Provider Identifier \(NPI\) rule](#). The guidance is not an extension of the federal deadline, but rather delay of enforcement if Providers show demonstrable progress towards compliance.

The MACSIS NPI Workgroup, which is comprised of Board, Provider and State representatives, reviewed the guidance material and related factors to determine how it would impact the MACSIS environment. Since this is an issue with statewide implications, the workgroup presented its findings to the [Behavioral Health Operations Committee](#) on May 10, 2007 for a decision.

To be consistent with [ODJFS' decision](#) to extend their Medicaid NPI dual-identifier period, **the committee voted to extend the acceptance of pre-NPI electronic claim files through December 31, 2007**. However, it is important to note the following **federal requirements** are still applicable:

- *CMS will be looking for the existence of a contingency plan detailing how and when an entity will be NPI compliant. (CMS FAQ #8370)*
- *CMS guidance does not require payers to enact contingency plans or extensions. Providers could begin losing income from other third party sources who choose not to do so starting May 23, 2007. (CMS FAQ #8373)*
- *During a recent CMS NPI roundtable, CMS cautioned that as soon as it considers the number of Medicare claims submitted with an NPI for primary Providers is sufficient, Medicare could begin rejecting claims without an NPI perhaps as early as July 1, 2007.*

“Well done is better than well said”

- Benjamin Franklin

The members of the Behavioral Health Operations Committee would like to acknowledge the significant efforts and progress made by community Providers, Boards and State agency staff in working toward compliance of the NPI rule before the May 23, 2007 deadline. Almost 100% of our Providers have obtained a Type-2 NPI, which is significantly better than the national average.

A special thanks is due to all of the members of the MACSIS NPI Workgroup for their tireless efforts over the past two years to raise awareness and prepare the community for this important milestone.

A job well done!

[NPI Resources](#) will continue to be available to assist Providers in achieving EDI compliance, overcoming barriers and responding to questions. Additional outreach and support will be extended to Providers who have shown “sustained actions and demonstrable progress” toward compliance as emphasized by the CMS guidance. If you have specific concerns, please do not hesitate to contact these resources for assistance.

This HIPAA Alert was approved by Donald Anderson, ODMH Acting Director, and Angela Cornelius, ODADAS Director.

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