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## Administrative Bulletin 20-47

### 101 CMR 20.00: Health Information Exchange

Effective May 1, 2020

#### **Extension of Deadline to Attest to HIway Connection Requirement, Waiver of Noncompliance Penalties for Acute Care Hospitals, and Extension of Admit, Discharge, and Transfer (ADT) Requirement for Acute Care Hospitals**

The Executive Office of Health and Human Services (EOHHS), including the Massachusetts Health Information Highway (Mass HIway), is issuing this administrative bulletin to **I.** extend the deadline for submitting documentation related to the HIway Connection Requirement; **II.** waive penalties for acute care hospitals not complying with the Year 4 requirement under 101 CMR 20.14: Penalties; and **III.** extend the effective date for implementing the requirements of subsection (4) of 101 CMR 20.08: Connecting to the Mass HIway, which describes when acute care hospitals have to submit Admit, Discharge, and Transfer (ADT) feeds to the Statewide Event Notification Services (ENS) Framework.

This administrative bulletin is effective for dates of service from April 1, 2020, through July 31, 2020.

#### **I. HIway Connection Requirement Documentation Deadline Extended**

The regulation 101 CMR 20.08(3) requires certain provider organizations (acute care hospitals, community health centers, and medium/large medical ambulatory practices) to connect to the Mass HIway by sending and receiving HIway Direct Messages, known as the HIway Connection Requirement, pursuant to a phased-in timeline. Provider organizations must have met their HIway Connection Requirement by January 1, 2020, pursuant to 101 CMR 20.09: Timetable for Connecting to the Mass HIway. The HIway policies and procedures require provider organizations to submit documentation annually either attesting to compliance with the HIway Connection Requirement or explaining why they were unable to meet the HIway Connection Requirement. EOHHS will extend the traditional submission deadline of July 31, 2020, to **December 31, 2020**.

#### **II. Waiver of Year 4 Penalties for Acute Care Hospitals**

For acute care hospitals, this is reporting Year 4, meaning acute care hospitals may be subject to a monetary penalty for failure to meet the HIway Connection Requirement by January 1, 2020, pursuant to 101 CMR 20.14. EOHHS is hereby **waiving** acute care hospital Year 4 penalties under 101 CMR 20.14 for failure to meet the HIway Connection Requirement or submit a timely attestation/exception form.



### **III. Extension of Acute Care Hospital ADT Requirement**

The regulation 101 CMR 20.08(4)(b) requires acute care hospitals to submit ADT feeds to the statewide ENS framework beginning January 1, 2020. In addition, 101 CMR 20.08(4)(d) states that penalties for noncompliance may be assessed beginning on July 1, 2020, and acute care hospitals that do not meet the requirement to submit ADT feeds by this date may be subject to the penalties set forth in 101 CMR 20.14 and 101 CMR 20.15: Penalty Schedule.

EOHHS will extend the effective date for implementing the requirements of each of 101 CMR 20.08(4)(b) and 101 CMR 20.08(4)(d) by one year. Therefore, the effective date for implementing the requirements under 101 CMR 20.08(4)(b) will be **January 1, 2021**, and the effective date for implementing the requirements under 101 CMR 20.08(4)(d) will be **July 1, 2021**.

This administrative bulletin supersedes Administrative Bulletin 20-05: 101 CMR 20.00 (effective February 28, 2020).

If you have any questions about this administrative bulletin, please contact Mass HIway Program Director Karbert Ng, [karbert.s.ng@massmail.state.ma.us](mailto:karbert.s.ng@massmail.state.ma.us) or (855) MA-HIway (624-4929).

EOHHS may adopt a revised version of this administrative bulletin taking into account relevant comments and any other practical alternatives that come to its attention.