



September 30, 2014

## New Reference Guide for Obtaining HPIDs under HIPAA

Controlling health plans (CHPs), including employer sponsored self-insured health plans, are required to obtain health plan identifiers (HPIDs) by November 5, 2014, under the Health Insurance Portability and Accountability Act (HIPAA) administrative simplification provisions. Small health plans have an additional year to comply. CHPs that need to obtain a HPID will go through the CMS Enterprise Portal, access the Health Insurance Oversight System (HIOS), and apply for an HPID from the Health Plan and Other Entity System (HPOES). The Centers for Medicare & Medicaid Services (CMS) has released a [quick reference guide](#) detailing the steps for a CHP to apply for and receive an HPID. For background information on the HPID, see our [Update](#).

CMS also recently announced that the HPOES has been updated with new functionality to allow multiple CHPs to register for an HPID using a single employer identification number (EIN). CMS directed users to consult the [Health Plan ID User Manual](#) as well as the [Quick Guide on the CMS website](#) for more information and links to CMS webinars and presentations. The new guide and updated functionality is intended to provide some assistance to employers and service providers in light of ongoing uncertainty and questions as to whether or how to obtain an HPID. According to informal comments made by a CMS acting director on E-health standards, the agency recognizes it is “behind on this” and hoped to have guidance out “within the next couple of weeks.”

CMS is also considering comments submitted on [proposed regulations](#) issued in January 2014, that require insured and self-insured health plans to submit certain information and documentation certifying compliance with “standard transactions” under HIPAA. Under the proposed rule, all health plans that meet the definition of a CHP will be required to meet certain “certification” requirements, regardless of whether they actually conduct any standard transactions. There are ongoing concerns with this requirement considering that self-insured group health plans typically utilize third parties to administer the plan, including carrying out any covered transactions. Final regulations on the certification requirements are not expected until sometime in 2015.

CMS is urged to expedite any additional guidance so that it may be used by affected employers (and their service providers) in sufficient time to obtain HPIDs by the November 5 deadline. Sponsors of self-funded plans may wish to apply now for an initial HPID, or, alternatively, self-funded plan sponsors may wish to wait until closer to the deadline before beginning the application process.

Should you have questions about this or any aspect of healthcare reform, contact your Conner Strong & Buckelew account representative toll free at 1-877-861-3220. For a complete list of

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