

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop D0-01-10
Baltimore, Maryland 21244-1850



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HIPAA Administrative Simplification Information Bulletin

January 17, 2024

Subject: Availability of International Da Vinci Project (Da Vinci) Report

The Department of Health and Human Services (HHS) is issuing this Information Bulletin to inform our stakeholders about the availability and location of the [International Da Vinci Project \(Da Vinci\) Report](#). The notice provides information which includes test results from the use of the Health Level Seven (HL7) Fast Healthcare Interoperability Resources (FHIR) standards approved to be used under the HIPAA exceptions process at 45 Code of Federal Regulations (CFR) § 162.940. The exception permitted Da Vinci to use the HL7 FHIR Prior Authorization Support (PAS) Implementation Guide (IG) and the HL7 FHIR Coverage Requirements Discovery (CRD) IG instead of the HIPAA-adopted standards for referral certification and authorization (prior authorization) transactions (X12N 278 Version 5010) and eligibility for a health plan (eligibility) transactions (X12N 270/271 Version 5010). An organization that receives an exception under 45 CFR § 162.940 [must submit to the National Standards Group \(NSG\) a report of its results](#), including a cost-benefit analysis, within 90 days after completing the test. This notice providing the location of Da Vinci's test report for the use of alternative standards is published in accordance with the requirement at 45 CFR § 162.940(d).

Background

On March 10, 2021, HL7 submitted a request for an exception from the requirements to use the X12 278 and X12 270/271 HIPAA standards for prior authorization and eligibility transactions, respectively. Specifically, HL7 requested that the exception apply to Da Vinci member organizations designated as payers and their trading partners to allow them to use the HL7 FHIR PAS IG in conjunction with the HL7 FHIR CRD IG and Documentation Templates and Rules (DTR) IG.

In evaluating the request for the exception, NSG considered the following criteria, which are specified at 45 CFR § 162.940(b): 1) whether the proposed modification represented a significant improvement to the current standard; 2) the extent and length of time of the exception; 3) consultations with Designated Standards Maintenance Organizations (DSMOs).

NSG notified HL7 that its exception request was approved on April 20, 2021, and provided details on the conditions for the approved exception, as required under 45 CFR § 162.940(c)(1). The HIPAA exception allowed for Da Vinci member organizations designated as payers and their trading partners to use alternative HL7 FHIR standards to support prior authorization and eligibility transactions without enforcement actions until April 14, 2024.

What This Notice Does

This notice provides NSG's approval letter which specified that a report of the test results must be submitted to NSG by July 14, 2024, which was provided on June 25, 2024. The NSG approval letter for the exception request and the Da Vinci test results report are available at:

<https://confluence.hl7.org/display/DVP/Da+Vinci+HIPAA+Exception>

Inquiries regarding the exception request and approval process can be sent to:

AdministrativeSimplificationException@cms.hhs.gov

For more information about CMS Administrative Simplification, visit [go.cms.gov/AdminSimp](https://www.cms.gov/AdminSimp).