



Digital Contact Information Requirements Under the CMS Interoperability and Patient Access Final Rule November 6, 2020

Overview

On March 9, the Centers for Medicare & Medicaid Services (CMS) publicly released the [Interoperability and Patient Access](#) final rule.¹ Among the final policies, CMS advances its plan to incorporate a provider’s digital contact information in the National Plan and Provider Enumeration System (NPPES). The Agency also finalized its plan to publicly report providers who do not update their digital contact information, but the timeframe has not been determined. CMS emphasized that as of May 2020, many providers had not submitted their digital contact information to NPPES.

21st Century Cures Digital Contact Information Requirement

Section 4003 of the 21st Century Cures Act required that HHS establish a provider digital contact information index. The Cures Act allows HHS to use an existing index or to create a new index. CMS reported that the agency received significant support for a single, public directory of provider digital contact information, and the Agency finalized its policy to use the National Plan and Provider Enumeration System (NPPES) to meet this requirement.

Recent Updates to the NPPES

NPPES currently supplies National Provider Identifier (NPI) numbers to health care providers (both individuals and facilities), maintains NPI records, and publishes the records online. Providers are identified on healthcare claims using their NPI. Moving forward, it is CMS’ intention that providers be able to be located by their digital contact information for the purposes of information sharing.

Health care providers are required to communicate to the NPPES any information that has changed within 30 days of the change.² CMS reviews NPPES to ensure a provider has a valid NPI as part of the Medicare enrollment process, as well as the revalidation process.

Starting in June 2018, CMS began updating NPPES to be able to capture digital contact information for both individuals and facilities that can be used to facilitate the sharing of health information. The updated capabilities for NPPES include³:

¹ While CMS released the rule on March 9, the final rule was officially published in the Federal Register on May 1, 2020. A fact sheet is available here: <https://www.cms.gov/newsroom/fact-sheets/interoperability-and-patient-access-fact-sheet#:~:text=The%20CMS%20Interoperability%20and%20Patient%20Access%20final%20rule,innovation%2C%20while%20reducing%20burden%20on%20payers%20and%20providers.>

² 45 CFR 162.410(a)(4))

³ For more information on the digital contact information which can be added to NPPES, see <https://nppes.cms.hhs.gov/webhelp/nppeshelp/HEALTH%20INFORMATION%20EXCHANGE.html>



- Capability to capture a Direct address, a FHIR server URL, and query endpoints associated with a health information exchange;
- Ability to maintain information about the type of contact information providers and organizations are associated with and the preferred uses for each address (providers can maintain their own unique information or associate themselves with information shared among a group of providers); and
- A public API which can be used to obtain the digital contact information stored in NPPES.

Final Rule Guidance to Report Digital Contact Information

CMS strongly encourages the inclusion of the FHIR endpoint information in NPPES, but does not make this an explicit requirement. Inclusion of this information is intended to help support the Patient Access API policy and the Provider Directory API policy included in this final rule, as well as interoperability throughout the health care system.

Providers can review their information via the following sources:

- NPPES NPI Registry: <https://npiregistry.cms.hhs.gov/>;
- NPPES NPI Registry API: <https://npiregistry.cms.hhs.gov/registry/help-api>; or
- NPPES Data Dissemination file <https://www.cms.gov/Regulations-andGuidance/AdministrativeSimplification/NationalProvidentStand/DataDissemination>

Compliance and CMS Public Reporting

CMS previously had requested comments on potential enforcement mechanisms to ensure individuals and facilities provide their digital contact information through NPPES.

At this time CMS is not establishing a penalty for failure to report digital contact information. The Agency stated it may consider penalties as well as incentives in future rulemaking. Instead, CMS finalized its policy to publicly report the names and NPIs of providers that do not include digital contact information in NPPES.

Implementation Timeline

CMS stated in the final rule that, in late 2020, it planned to begin reporting the names and NPIs of providers that do not provide updated digital contact information. However, in early November, CMS told CHIME that the agency will not begin publishing this information or implementing penalties until they at least have a bulk reporting capability in place. CMS also intends to provide information on whether certain providers would be exempt from public reporting.

CHIME will share information as it becomes available.