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# MHCC Certification of Electronic Health Networks

# Overview

➢ This presentation is designed to assist EHNs by providing information regarding:

- What is an EHN?
- EHN Certification Regulations
- About the EHN Certification Process
- Steps to Certification and Renewal
- Certification standards, including Privacy & Confidentiality, Security, Technical Performance, and Business Processes
- Additional Notifications

# What is an EHN?

➢ An **Electronic Health Network** (EHN) is defined by Maryland COMAR 10.25.07.02 as an entity involved in the exchange of electronic health care transactions between electronic health networks, payors, providers, vendors, or other entities.

➢ **Electronic health care transactions** means health care transactions that have been approved by a nationally recognized health care standards development organization to support health care informatics, information exchange, systems integration, and other health care applications.

➢ Additional information is available at: http://www.dsd.state.md.us/comar/SubtitleSearch.aspx?search=10.25.07.*

# EHN Regulation

➢ COMAR 10.25.07, *Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses*, states that the Maryland Health Care Commission (MHCC) is responsible for certifying all electronic health networks (EHNs) and medical care electronic claims clearinghouses operating in Maryland

➢ Payers that accept electronic health care transactions originating in Maryland may only accept electronic transactions from EHNs or medical care electronic claims clearinghouses that obtain MHCC certification

# EHN Regulation (cont)

➤ If a payer is notified that an EHN is not certified, the payer has 60 calendar days to ensure that the EHN becomes certified in that time period or to contract with a different EHN.  If the payer does not comply with this regulation, they are liable for a monetary penalty of $1,000 per day.

➤ For substantial reasons shown, the Commission may suspend, reduce, or waive any penalty imposed under this chapter.

➤ The regulations are located at:
http://www.dsd.state.md.us/comar/SubtitleSearch.aspx?search=10.25.07 & http://www.dsd.state.md.us/comar/SubtitleSearch.aspx?search=10.25.09.*

# About EHN Certification

➤ The initial EHN-certification, and the subsequent renewal of certification, is valid for two years from the date of certification

➤ To obtain certification, the EHN must provide documentation to the MHCC that it is accredited or certified by a qualified accreditation or certification organization such as the Electronic Healthcare Network Accreditation Commission (EHNAC) or an organization recognized by the MHCC that has established standards of quality

# Steps to Certification/Recertification

➢ <u>Step 1</u>:  Complete the MHCC's EHN Certification/Recertification Application

➢ <u>Step 2</u>:  Provide documentation that the EHN has received Nationally Qualified Accreditation or Certification

➢ <u>Step 3</u>:  Submit applicable fees

# Step 1: The MHCC EHN Application

➢ All EHNs applying for Certification/Recertification must complete an application and submit responses to the MHCC for review.

➢ The application may be found online at:
mhcc.dhmh.maryland.gov/hit/ehn/Documents/ehn_certification_application.pdf

➢ The completed application should be submitted to the MHCC by e-mail at:  EHN.Certification@maryland.gov

# Step 2: National Accreditation

➤ EHNs must provide documentation of national accreditation by an organization such as EHNAC. Documentation includes: 1.) responses to the EHNAC self-assessment manual, and 2.) the EHNAC site visit scoring sheet.

➤ Documentation must be submitted by one of the following methods:

- Email the documents to [EHN.Certification@maryland.gov](mailto:EHN.Certification@maryland.gov). Multiple emails up to 15MB may be sent as needed.

- The applicant may choose to submit documents online through a LogMeIn account. Please contact the MHCC by email at [EHN.Certificaton@maryland.gov](mailto:EHN.Certificaton@maryland.gov) to receive a password in order to upload documents.

- The EHN may choose to send a CD to the MHCC. The CD will be uploaded to the MHCC's network and destroyed. If interested in mailing a CD, contact the MHCC at: [EHN.Certification@maryland.gov](mailto:EHN.Certification@maryland.gov)

# Step 2: National Accreditation (cont)

➢ If the EHN chooses to use a qualified accreditation or certification organization other than EHNAC, the EHN must submit documents that show the network complies with established standards of qualify for electronic health networks and has received either accreditation or certification that meets these standards.

➢ If an EHN chooses to use a network other than EHNAC, the MHCC should be contacted at EHN.Certification@maryland.gov for further instructions.

➢ Once accreditation has been obtained from a nationally recognized body, the EHN has approximately **2 weeks** to submit supporting documents to the MHCC for review.

# Step 3: Applicable Fees

➢ Per Maryland regulation, the MHCC is required to charge a processing fee for EHN Certification/Recertification.

| Application Fee Schedule | | |
|---|---|---|
| # of Operating Sites | Initial Fees | Renewal Fees |
| EHN with One Operating Site | $400 | $250 |
| EHN with Multiple Operating Sites | $400 + $200 for each additional site | $250 + $125 for each additional site |

➢ All checks should be submitted to:

Bridget Zombro, Director of Administration
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, MD  21215

# Awarding Certification

➢ The MHCC will review all documents submitted by the EHN and will award certification if the EHN's submission is complete.

➢ MHCC EHN Certification is valid for 2 years.

# Timeline & Extension Requests

➢ The MHCC will contact the EHN to initiate the recertification process roughly four months in advance of the certification expiration date.

➢ In the event of extenuating circumstances, the EHN may request an extension from the MHCC for the application renewal by submitting a request to the MHCC at least 15 days prior to the application due date.

➢ Extension requests must include reasons for the extension and a proposed submission date.

➢ The MHCC will review extension requests and will respond to the EHN by email.

# Certification Standards

➢ There are four criteria categories used to determine EHNAC certification. The criteria include standards that cover the following:

- Privacy and Confidentiality
- Security
- Technical Performance
- Business Process

Additional information regarding EHNAC can be found at: http://www.ehnac.org/

# Privacy and Confidentiality

➢ Assure compliance with HIPAA Privacy Rules

➢ Utilize appropriate administrative, technical and physical safeguards relating to the confidentiality of protected health care information (PHI)

➢ Implement the proper confidentiality agreements with partners

# Security Criteria

➢ Promote compliance with the HIPAA Security Rule

➢ Ensure confidentiality, integrity and availability of electronic PHI

➢ Prepare against threats and vulnerabilities

➢ Put in place proper authentication and audit controls

➢ Employ encryption of electronic PHI

# Technical Process Criteria

➢ Utilization of appropriate communication messages and electronic records

➢ Implement measures for capacity monitoring and planning

# Business Process Criteria

- Provide proper education and training for employees
- Promote effective customer communication

# Additional Notifications

➢ Under COMAR 10.25.07, EHNs are required to notify the MHCC for the following reasons:

| Reason for Notification | Notice Required by MHCC |
|---|---|
| Closure, sale, lease, assignment, or transfer of an MHCC certified EHN to any other person or entity. | At least 30 days |
| Change of address | At least 60 days |
| Organizational name change | At least 60 days |
| Use of an accreditation or certification from a qualified body other than EHNAC | Prior to submission of MHCC certification application |

# Questions?

➢ Contact:

The Maryland Health Care Commission

Center for Health Information Technology

Phone:  (410) 764-3460

Fax:  (410) 358-1236

E-mail: EHN.Certification@maryland.gov

mhcc.dhmh.maryland.gov