



# PROPOSED REGULATIONS

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**COMAR 10.25.07, *Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses***

**JUNE 12, 2025**

# Background – State Law

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- ▶ Chapter 790/791, *Public Health – State Designated Exchange – Clinical Information* (2021)
  - Aims to facilitate a State health improvement program, mitigate a public health emergency, and improve patient safety
  - Requires nursing homes to electronically submit clinical information to the State designated health information exchange (CRISP)
  - Requires electronic health networks (EHN) to provide electronic health care transaction information to CRISP
  
- ▶ Chapter 625, *Maryland Department of Health – AHEAD Model Implementation – Electronic Health Care Transactions and Population Health Improvement Fund* (2025)
  - Clarifies that electronic health care transaction information may be used to support the State’s participation in the Advancing All-Payer Health Equity Approaches and Development (AHEAD)\* Model and any successor models, among other things

\* The Centers for Medicare and Medicaid Services develops and administers the AHEAD Model

# Regulations

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- ▶ COMAR 10.25.07, *Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses*, is the existing regulatory framework to support implementation of the laws
- ▶ Informal comments to draft amendments received in May 2024 informed proposed permanent regulations approved at the October 2024 Commission meeting\*
  - The regulations were published in the Maryland Register on December 2, 2024; an opportunity for public comment was open through January 2, 2025
  - Staff considered roughly 39 comments with some recurring themes from six organizations

\* See Appendix for information on the amendments proposed and approved in October 2024



## Regulations *(continued...)*



- ▶ Based on certain public comments, select amendments were revised, some of which are considered substantive
  - Informed the decision to present a new iteration of proposed permanent regulations
- ▶ Several comments did not result in any change as it relates to public health purposes, enforcement, costs, legal concerns, and some aspects of the technical implementation (e.g., scope of transactions to report and multiple intermediaries)



# Public Comment Themes

## **Resulted in changes to the regulations:**

- Implementation approaches and timeline
- Development of the technical specifications for reporting



# Newly Proposed Amendments to COMAR 10.25.07

# Proposed Amendments

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- ▶ Adds the AHEAD model as public health purpose for the electronic health care transaction data – regulation .09 A (4)
- ▶ Clarifies components of the *Electronic Health Care Transactions Technical Submission Guidance*, including the options for EHNs to submit a flat file – regulation .09 E (1)
- ▶ Clarifies the process for developing the *Electronic Health Care Transactions Technical Submission Guidance*, including a process for soliciting input from certified EHNs – regulation .09 E (2)-(4)
- ▶ Extends the timeline for developing the *Electronic Health Care Transactions Technical Submission Guidance*, by six months (now 12 months) – regulation .09 I (1)
- ▶ Extends the timeline for EHNs to begin submitting electronic health care transaction information to CRISP by six months (now 18 months) – regulation .09 I (2)
- ▶ Adds requirements for CRISP and EHNs to report on their implementation of the regulations – regulation .09 J



# Commission Action Item

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- ▶ Staff requests the Commission adopt COMAR 10.25.07 as proposed permanent regulations

*Note: If approved, the proposed permanent regulations are anticipated to be published in the July 25, 2025 edition of the Maryland Register with a public comment period through August 25, 2025*





# Appendix



# Proposed Amendments – COMAR 10.25.07

October 2024

# EHN Reporting of Electronic Health Care Transactions – *Proposed Amendments*



- ▶ Adds definitions “improvement of patient safety,” “mitigation of a public health emergency,” “State-designated HIE,” and “state health improvement program – regulation .02 B (9), (14), (16), and (17)
- ▶ Adds a regulation requiring MHCC-certified EHNs to submit certain electronic health care transactions to CRISP for public health and clinical purposes – regulation .09 A-D
- ▶ Requires CRISP to develop electronic health care transactions technical submission guidance – regulation .09 E
- ▶ Details the submission schedule and prohibits CRISP from charging fees – regulation .09 F & G
- ▶ Allows EHNs to request a one-year exemption from certain reporting requirements – regulation .09 H
- ▶ Requires CRISP to publish the technical guidance within six months of regulations effective date – regulation .09 I