

HIPAA Administrative Simplification Information Bulletin

November 7, 2022

Subject: Notice Regarding Publication of Proposed Rule: Administrative Simplification: Modification to the National Council for Prescription Drug Programs Retail Pharmacy Standards and Adoption of a New Pharmacy Subrogation Standard (CMS-0056 P)

The Department of Health and Human Services (HHS) is issuing this Information Bulletin to inform our stakeholders of the [Notice of Proposed Rulemaking \(NPRM\) CMS-0056-P](#) that is being displayed on November 7 and published on November 9 in the Federal Register. This NPRM proposes to adopt updated Versions of the retail pharmacy standards for electronic transactions adopted under the Administrative Simplification subtitle of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

These updated versions would be modifications to the currently adopted standards for the following retail pharmacy transactions: health care claims or equivalent encounter information; eligibility for a health plan; referral certification and authorization; and coordination of benefits.

Background

In January 2009 (74 FR 3295), the Secretary adopted the NCPDP Telecommunication Standard Implementation Guide, Version D, Release 0 (Version D.0) and equivalent NCPDP Batch Standard Implementation Guide, Version 1, Release 2 (Version 1.2) (hereinafter collectively referred to as Version D.0) for the following retail pharmacy transactions: health care claims or equivalent encounter information; referral certification and authorization; and coordination of benefits.

The same regulation also adopted the NCPDP Batch Standard Medicaid Subrogation Implementation Guide, Version 3, Release 0 (Version 3.0) so that Medicaid agencies could seek reimbursement from a responsible health plan for a pharmacy claim the State has paid on behalf of a Medicaid recipient.

What This Proposed Rule Would Do

This proposed rule, if finalized, would modify the currently adopted [National Council for Prescription Drug Programs \(NCPDP\) D.0 standard](#) to the Telecommunications Standard Implementation Guide Version F6 (F6) and Batch Standard Implementation Guide Version 15, and adopt the NCPDP Batch Standard Subrogation Implementation Guide Version 10.

The proposed rule would also broaden the applicability of the Medicaid pharmacy subrogation transaction to all health plans. To that end, the rule would rename and revise the definition of the transaction and adopt an updated standard, which would be a modification for state Medicaid agencies and an initial standard for all other health plans.

Public Comment Period

The proposed rule can be found at <https://www.federalregister.gov/>. There is a 60-day public comment period for this rule, which closes on January 9, 2023.

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