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## Information Blocking and ONC Health IT Certification Dates

The ONC did an Extension of Compliance Dates and Timeframes in Response to the COVID-19 Public Health Emergency.

As of April 2020, this is our current understanding regarding communication regulations. PowerSoftMD Complies to all the currently required elements as of April, 2021.

### April, 2021

#### 1) § 170.401

Information blocking, PowerSoftMD complies with. We sent you an email regarding it, you can refer to it again at: <https://powersoftmd.com> then support tab, then technical note # 59m

If a patient asks for their records, you can currently supply them via your portal or by exporting CCDAs to electronic readable media. PowerSoftMD blocks nothing.

### December, 2022

#### 2) § 170.404(b)(3), 170.315(g)(9), & 170.315(g)(10)

Interoperability, which has multiple implementation dates; the first one is February, 2022.

You can find more detailed deadline information at:

[https://www.healthit.gov/cures/sites/default/files/cures/2020-10/IFC\\_FactSheet\\_Certification.pdf](https://www.healthit.gov/cures/sites/default/files/cures/2020-10/IFC_FactSheet_Certification.pdf)  
(copy of this PDF as of 4/7/2021 is on the next 2 pages)

# ONC Interim Final Rule

## Information Blocking and the ONC Health IT Certification Program: Extension of Compliance Dates and Timeframes in Response to the COVID-19 Public Health Emergency

ONC is taking steps to provide the health care system the flexibility to effectively respond to the public health threat posed by the spread of COVID-19. In review of the ONC Cures Act Final Rule, we determined the following updates are necessary through this interim final rule:

- Extending the compliance dates in the ONC Health IT Program (Program), including certain 2015 Edition health IT certification criteria and Condition and Maintenance of Certification requirements.
- Making changes to the Program by updating standards and clarifying regulatory text for specific certification criteria.
- Making technical corrections and clarifications.

### Compliance Dates

| Provision   | Final Rule                    | Interim Final Rule   |
|---|-------------------------------|----------------------|
| <b>Condition of Certification (CoC) – Information Blocking</b> – (§ 170.401)  | November 2, 2020              | <b>April 5, 2021</b> |
| <b>CoC – Assurances</b> – (§ 170.402(a)(1)) – Will not take any action that constitutes information blocking or actions that inhibit access, exchange, and use of electronic health information (EHI) | November 2, 2020              | <b>April 5, 2021</b> |
| <b>CoC – Assurances</b> – (§ 170.402(a)(2) and (3), and (b)(1)) – Other   | Effective date: June 30, 2020 | <b>April 5, 2021</b> |
| <b>CoC – Communications</b> – (§ 170.403) – Communications requirements, except for § 170.403(b)(1) where we removed the notice requirement for 2020  | Effective date: June 30, 2020 | <b>April 5, 2021</b> |
| <b>CoC – API</b> – (§ 170.404(b)(4)) – Compliance for current API criteria  | November 2, 2020              | <b>April 5, 2021</b> |

| Provision   | Final Rule   | Interim Final Rule   |
|---|--|--|
| <b>CoC – API</b> – (§ 170.404(b)(3)) – Rollout of new standardized API functionality certified to § 170.315(g)(10)  | May 2, 2022  | <b>December 31, 2022</b>   |
| <b>CoC – Real World Testing</b> – 2015 Edition health IT certification criteria updates – EHI export. See Assurances below  | May 2, 2022  | <b>December 31, 2022</b>   |
| <b>CoC – Assurances</b> – (§ 170.402(a)(4) and (b)(2)) – EHI Export Rollout § 170.315(b)(10)  | May 1, 2023  | <b>December 31, 2023</b>   |
| <b>CoC – Communications</b> – (§ 170.403(b)(1)) – Notice to all customers with which developer has contracts or agreements containing provisions that contravene Communications CoC | Annually beginning in calendar year 2020   | <b>Begin annual cycle 1 year later</b><br><b>CY 2021</b>   |
| <b>CoC – Initial Attestations</b> – (§ 170.406)   | April 1-30, 2021<br>attestation window for attestation period running June 30, 2020 through March 31, 2021 | <b>Begin annual cycle 1 year later</b><br><b>April 1-30, 2022</b>  |
| <b>CoC – Real World Testing</b> – (§ 170.405(b)(1) and (2)) – Submit <b>initial</b> plan and <b>initial</b> results submission  | Plan: December 15, 2020<br>Results: March 15, 2022   | <b>Begin annual cycle 1 year later</b><br><b>Initial Plan: December 15, 2021</b><br><b>Initial Results: March 15, 2023</b> |
| <b>USCDI</b> – Update to the USCDI standard for § 170.315 (b)(1), (b)(2), (e)(1), (f)(5), (g)(6), (g)(9), and (g)(10)   | May 2, 2022  | <b>December 31, 2022</b>   |
| <b>New and Revised Certification Criteria</b> – Update standards or implement for § 170.315 (b)(3), (b)(7), (b)(8), (c)(3), (d)(2), (d)(3), (d)(10), (d)(12), and (d)(13)           | May 2, 2022  | <b>December 31, 2022</b>   |