



*Partnering for Electronic Delivery  
of Information in Healthcare*

March 23, 2012

National Archives and Records Administration  
Office of the Federal Register  
8601 Adelphi Road  
College Park, MD

RE: 1 CFR Part 51 [NARA 12-0002]

In its advisory role under the Health Insurance Portability and Accountability Act (HIPAA), the Workgroup for Electronic Data Interchange (WEDI) periodically addresses critical issues related to Administrative Simplification and related areas that it believes merit review and consideration to appropriate government agencies

The Workgroup for Electronic Data Interchange (WEDI) is a leading authority on the use of Health IT to improve healthcare information exchange in order to enhance the quality of care, improve efficiency and to reduce costs of our nation's healthcare system. WEDI was formed in 1991 by the Secretary of Health and Human Services (HHS) and was designated in the 1996 HIPAA legislation as an advisor to HHS. WEDI's membership includes a broad coalition of organizations, including: hospitals, providers, health plans, vendors, government agencies, consumers, not-for-profit organizations and standards bodies.

Questions were posed around whether "reasonably available" meant materials should be free. WEDI believes that this decision would have a significant impact on the operation of Standards Development Organizations (SDOs) that develop the transactions used in healthcare. WEDI acknowledges that SDOs do have costs associated with their operation and that these costs must be provided for in terms of either charges for access to standards, membership fees or via some other means. Without the ability to generate income, these organizations would not be able to operate effectively and would impact their ability to operate in accordance with the American National Standards Institute (ANSI) Essential Requirements for SDOs. WEDI believes that the final decision must take into consideration the impact to ongoing financial viability of SDO's.

Additional questions were posed as to how materials should be made available online. WEDI acknowledges the need to make it as easy as possible for the industry to identify and access required content. However, we do not believe that it is practical for all content to be housed in one location. Some materials that are currently incorporated by reference contain further references to external code sets, thus complicating a one-philosophy-fits-all solution. WEDI believes that a central location with hyperlinks [or easy navigation] to the referenced materials would be helpful and would facilitate organizations' access to the full set of requirements in a regulation.

WEDI additionally feels that incorporation by reference should not place a burdensome requirement or restrictions on maintenance / version changes to a named standard. While regulations can name a specific standard the regulations should also include the version



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number where applicable, thereby allowing individual standards organizations to maintain their own versioning process to ensure that modifications can be made as needed.

WEDI appreciates the opportunity to comment on this matter. Please contact Dr. Devin A Jopp, President and CEO of WEDI if you have any further questions or require additional clarification.

Sincerely,

Devin A. Jopp, Ed.D.  
President & CEO