

ARRA - HITECH DUE DATES

Section	Page	Title	What	By When (Statute)	Potential Date			
					NPRM	IFR	Fin Rule	Other

HITECH - Non-Privacy Sections

Sub A Sec 3002	120	HIT Policy Committee	Establish and appoint	45 days from 2/17/2009				Completed-Announced by ONC
Sub A Sec 3002	124	HIT Standards Committee	Establish and appoint	45 days from 2/17/2009				Completed Announced by ONC
Sub A Sec 3002	124	Schedule	Schedule for assessment of policy recommendations	90 days from 2/17/2009				Completed by HIT Standards Committee
Sub B Sec 3012	133	Health Information Technology Implementation Assistance	Health Information Technology Extension Program	February 18, 2010?				Announced August 2009 Phase I - Awards expected January 2010 Phase II - Awards expected March 2010
Sub A Sec 3001 (c)(5)	118	Certification	Recognize programs for voluntary certification of software products	February 18, 2010?				1/?/2010
Sub A Sec 3004 (b)	126	Adoption of Meaningful Use ;Standards, Measuers, Implementation Specifications, andIncentives	Initial set of Standards, et al.	31-Dec-09	Draft 12/30/2009 Pub 1/13/2010			
Sub A Sec 3004 (b)	126	Adoption of Standards, Implementation Specifications, and Certification criteria	Initial set of Certification Criteria	December 31, 2009		Draft 12/30/2009 Pub 1/13/2010		
Sub A Sec 3001 (c) (3)	117	Strategic Plan	Revise 6/2008 Strategic Plan	February 18, 2010?				Strategic Planning WG : - Draft a paper – March 2010 - Listening session – April 2010 - Final document is expected by May 2010 - Draft Strategic Plan – June 2010 - Clearance – July – August 2010 - Publish – October 2010
Sub A Sec 3001 (e)	119	Chief Privacy Officer of the OnC	Appointment of Officer by Secretary	≥ February 18, 2010				ONC Announcement?
Sub B Sec 13201 (b)	130	Voluntary Testing Program	NIST est Testing Program	February 18, 2010?				ONC Announcement?
Sub B Sec 13202 (a)	131	Health Care Information Enterprise Integration Research centers	NIST/NSG assist to institutions of higher ed etal.	February 18, 2010?				?
Sub B Sec 3012	133	Health Information Technology Implementation Assistance	Health Information Technology Research Center	February 18, 2010?				ONC RFP

Sub B Sec 3012	133	Health Information Technology Implementation Assistance	Health Information Technology Regional Extension Centers	Initial RFP 9/2009				1/2010 and 3/2010 expected announcements
Sub B Sec 3013	136	State Grants to Promote Health Information Technology	Planning and Implementation Grants	Immediate - restrictions beginning in FY 2011 (10/1/2010)				Underway
Sub B Sec 3014	139	Competitive Grants to States and Indian Tribes	Facilitate the widespread adoption of EHR technology	Under way				Underway
Sub B Sec 3015	142	Demonstration Program to Integrate Information Technology into Clinical Education	Grants for demo program for clinical education	February 18, 2010?				ONC Announcement?
Sub B Sec 3015	142	Demonstration Program to Integrate Information Technology into Clinical Education	Report on projects established and recommendations	≥ February 18, 2010				ONC Announcement?
Sub B Sec 3016	143	Information Technology Professionals in Health Care	Assistance to institutions of higher education	February 18, 2010?				ONC Announcement?
Sub A Sec 3001 (c)((6)	118	Reports and Publications	Report on Additional Funding or Authority Needed	≥ February 18, 2010				
Sub A Sec 3001 (c)((6)	118	Reports and Publications	Implementation Report – lessons learned	February 18, 2010?				
Sub A Sec 3001 (c)((6)	118	Reports and Publications	Assessment of Impact of HIT on Communities ...	February 18, 2010?				
Sub A Sec 3001 (c)((6)	118	Reports and Publications	Evaluation of Benefits and Costs of Electronic Use and Exchange	February 18, 2010?				
Sub A Sec 3001 (c)((6)	118	Reports and Publications	Resource Requirements					
PT2 Sec 13111	129	Studies and Reports	Rpt. On Adoption of Nationwide System	≥ February 18, 2011				
PT2 Sec 13111	129	Studies and Reports	Reimbursement Incentive Study and Report	≥ February 18, 2011				
PT2 Sec 13111	129	Studies and Reports	Aging Services Technology Study and Report	≥ February 18, 2011				
Privacy								
Sub D PT1 Sec 13402	146	Notification in the Case Of Breach	Guidance on technologies and methodologies on render PHI unusable...	April 17, 2009				Initially issued 4/2009 updates due annually
Sub D PT1 Sec 13403	149	Education on Health Information Privacy	Regional Office Privacy Officers	August 2009				Announced by OCR in July
Sub D PT1 Sec 13408	157	Business Associate Contracts Required for certain Entities	BAAs for HIE, RHIO, E-Rx Gateway, et al.	February 17, 2009				Effective with enactments

Sub D PT1 Sect 13410 (d)	158	Tired Increase in Amount of Civil Monetary Penalties	"Should have known," etc.	February 17, 2009.		11/30/2009		Comments due 12/31/2009
Sub D PT1 Sec 13402	146	Notification in the Case Of Breach	Breach notification requirement for HIPAA CE & BA	180 days for IFR 30 days after final for effective date		9/23/2009		Compliance no later than 2/22/2010
Sub D PT1 Sec 13407	155	Temp. Breach Notification Rue for non-HIPAA	Temp. Breach Rules for non-HIPAA entities - PHRs	September 24, 2009		9/24/2009		Compliance no later than 2/22/2010
Sub D PT1 Sec 13401	146	Application of Provisions to Business Associates of Covered Entities	Application of Certain Security Provisions to BAs	February 18, 2010		12/??2009		
Sub D PT1 Sec 13401	146	Application of Provisions to Business Associates of Covered Entities	Application of Civil and criminal Penalties to BA	February 18, 2010		12/??2009		
Sub D PT1 Sec 13404	150	Application of Privacy Provisions to Business Associates of Covered Entities	Application of Contract Requirements	February 18, 2010		12/??2009		
Sub D PT1 Sec 13404	150	Application of Privacy Provisions to Business Associates of Covered Entities	Application of Knowledge Elements Associated with Contracts	February 18, 2010		12/??2009		
Sub D PT1 Sec 13404	150	Application of Privacy Provisions to Business Associates of Covered Entities	Application of Civil and Criminal Penalties	February 18, 2010		12/??2009		
Sub D PT1 Sec 13405 (a)	150	Requested Restrictions on Certain Disclosures of Health Information	Restriction on disclosures to health plans	February 18, 2010?		12/??2009		
Sub D PT1 Sec 13405 (b)	150	Disclosures Required to be Limited to the Limited Data Set or the Minimum Necessary	Use of Limited Data Set	February 18, 2010		12/??2009		
Sub D PT1 Sec 13405 (c)	151	Accounting for Certain PHI Disclosures w EHRs	Adoption of Standards	By December 31, 2009				Standard accepted by Secretary?
Sub D PT1 Sec 13405 (e)	154	Access to Certain Information in Electronic Format	Right to obtain in electronic format and fees	February 18, 2010?		12/??2009		
Sub D PT1 Sec 13406 (a)	154	Marketing	Limits on Marketing Communications	February 18, 2010		12/??2009		
Sub D PT1 Sec 13406 (b)	155	Opportunity to Opt Out of Fundraising	Rule for Opt Out	February 18, 2010		12/??2009		
Sub D PT1 Sec 13409	157	Clarification of Application of Wrongful Disclosures Criminal Penalties	Personal responsibility under HIPAA	February 18, 2010?		12/??2009		

Sub D PT1 Sect 13410 (d)	160	Enforcement by State Attorneys General	Rules for Attorneys General	February 17, 2009				12/??2009	
Sub D PT1 Sect 13411	162	Audits	Periodic Audits of CE s and BAs	February 17, 2009					OCR at any time
Sub D PT1 Sec 13402	146	Notification in the Case Of Breach	Annual Guidance on safeguards	Annual					Annual
Sub D PT1 Sec 13405 (b)	150	Disclosures Required to be Limited to the Limited Data Set or the Minimum Necessary	Guidance on "minimum necessary"	August 17, 2010.					
Sub D PT1 Sec 13405 (b)	150	Disclosures Required to be Limited to the Limited Data Set or the Minimum Necessary	Sunset of Use of Limited Data Set Requirement (above)	August 17, 2010.					
Sub D PT1 Sec 13405 (c)	151	Accounting for Certain PHI Disclosures w EHRs	NPRM	≥ 6 months from adopt of standards					
Sub D PT1 Sec 13405 (c)	151	Accounting for Certain PHI Disclosures w EHRs	Effective	Varies through 2016					
Sub D PT1 Sec 13405 (d)	152	Prohibition on Sale of EHRs or PHI	Sale or EHRs or PHI w exceptions	August 17, 2010					
Sub D PT1 Sec 13410 (a)	157	Improved Enforcement	Noncompliance due to willful neglect - penalty change	Applies to penalties after February 18, 2011					
Sub D PT1 Sec 13410 (c)	158	Distribution of Certain CMPs Collected	Shared penalties report	≥ August 17, 2010					
Sub D PT1 Sec 13410 (c)	158	Distribution of Certain CMPs Collected	Establishment	≥ February 18, 2012					
Sub D PT1 Sec 13401	146	Application of Provisions to Business Associates of Covered Entities	Annual Guidance on safeguards	February 18, 2010?					
Sub D PT1 Sec 13403	149	Education on Health Information Privacy	Education Initiative on Use of Health Information	≥ February 18, 2010					