OIG Begins Enforcing Information Blocking Rules



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The U.S. Department of Health & Human Services, Office of Inspector General (OIG) began enforcement of the information blocking penalties under the 21st Century Cures Act and OIG's final rule. Information blocking is defined as a practice by a healthcare provider or developer of health IT that is likely to interfere with the access, exchange or use of electronic health information (EHI), except as required by law or specified in an information blocking exception. Because the OIG expects it will receive more information blocking complaints than it can investigate, it has advised that it will allocate its enforcement priorities to investigate cases that:

- resulted in, is causing, or has the potential to cause patient harm;
- significantly impacted a provider's ability to care for patients;
- was of long duration;
- caused financial loss to Federal health care programs, or other government or private entities; or
- was performed with actual knowledge.

More information about the rule may be found here: OIG Information Blocking Final Rule and here: HealthIT.gov Website.

Click Here to read the entire September 2023 Healthcare Law Update now!

If you need assistance with your HIPAA compliance program, an OCR investigation, or a data breach incident, please contact:
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