

The enclosed letter was sent to APD Data Submitters on 11/26/2018. Please note the below updates to the information presented in the letter.

- Under the definition of Third-party health care payer, the first line should read:
 - Article 42, 43, or 47 of the Insurance Law
- The final paragraph mentions a Trading Partner Agreement, the OSDS will make use of a Data Submitter Agreement (DSA) not a Trading Partner Agreement.



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

November 21, 2018

Dear APD Data Submitter:

Public Health Law (PHL) Section 2816 authorizes the New York State Department of Health (NYSDOH) to collect covered person data and claims data in its All Payer Database (APD). In accordance with NYSDOH regulations and contracts, third-party health care payers shall submit complete, accurate, and timely data to the APD, pursuant to the submission specifications.

Third-party health care payer as defined by NYSDOH regulation at 10 NYCRR Section 350.1, means:

- An insurer, organization, or corporation licensed or certified pursuant to:
 - Article 32, 43, or 47 of the Insurance Law; or
 - Article 44 of the Public Health Law; or
 - An entity, such as a pharmacy benefits manager, fiscal administrator, or administrative services provider that participates in the administration of a third-party health care payer system, including any health plan under 42 USC § 1320d.

Unless permitted by federal law, self-insured health plans regulated by the Employee Retirement Income Security Act of 1974 (ERISA) are not required to submit data to the APD, although such plans that operate in New York State may choose to participate as a voluntary data submitter.

The NYSDOH is currently engaged in the development of the process and technical infrastructure to accept submissions from third-party health care payers directly to the APD. The system that is being developed is referred to as the **Original Source Data Submitter (OSDS) system** and will collect the following:

1. Off-exchange commercial enrollment in the 834 x318 Plan Member Reporting format;
2. All payer medical and dental encounter data in the X12 Post Adjudicated Claims Data Reporting (PACDR 837 x298, x299, x300) format; and
3. All payer pharmacy encounter data in the National Council for Prescription Drug Programs (NCPDP v4.2) Post Adjudication Standard

It is anticipated that interactive system testing on the new OSDS system will begin no sooner than January 2020, with production occurring no sooner than April 2020. Off-Exchange commercial data submitters are asked to provide Calendar Year (CY) 2018, CY 2019, and Year to Date (YTD) 2020 enrollment and encounter data when the system opens to production. This notification provides third-party health care payers with sufficient notice to begin necessary steps to prepare for interactive testing of data submission in the required submission formats and retention of CY 2018 and CY 2019 information. Issuers that currently submit Child Health



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Plus (CHP), Qualified Health Plan (QHP), Essential Plan (EP), and/or Medicaid Managed Care (MMC) encounter data to the current Encounter Intake System (EIS) will be allowed a period of testing in the APD OSDS system before transitioning all lines of business to production in the OSDS system. In the interim, third-party health care payers should continue to submit CHP, QHP, EP, and MMC encounter data to the current EIS.

APD data submission information may be found on the NYS Health Connector at the following direct link: <https://nyshc.health.ny.gov/web/nyapd/apd-submitters>. Please check back to the NYS Health Connector frequently, as materials will continue to be updated as the OSDS project progresses.

Throughout the development phase of the OSDS project, the APD project team will be providing informational materials, updates and associated documentation, including a revised Companion Guide and Trading Partner Agreement. Additionally, updates and opportunities to ask questions will be provided in the APD Encounter Issuer Weekly Status Meetings.

If you have any questions, please contact the NYSDOH APD team at:
nysapd@health.ny.gov.

Sincerely,

Anne Schettine
Director
Office of Quality and Patient Safety