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

Who are the actors covered by information blocking?

- Health Care Providers
- Health Information Networks (HIN)/Health Information Exchanges (HIE)
- Health IT Developer of Certified Health IT

Why does this interim final rule matter to you?

**Applicability Date Extension**

This interim final rule moves the applicability date from **November 2, 2020 to April 5, 2021**. This means that actors now will be subject to the information blocking provisions beginning on April 5, 2021.

**Comments**

The provisions in this rule, including the date extensions, are **effective immediately**. A 60-day comment period is available for stakeholders to respond to the interim final rule.

Investigations and Penalties/Disincentives

Actors that are subject to the information blocking regulations may be investigated by the HHS Office of Inspector General if they are the subject of a claim of information blocking.

Further, actors found to have committed information blocking are subject to penalties:

- Health IT developers of certified health IT, health information networks, and health information exchanges → Civil monetary penalties (CMPs) up to $1 million per violation
- Health care providers → Appropriate disincentives to be established by the Secretary

Need to know if you are a covered actor?

Review the terms and definitions available in the [Health Care Provider Fact sheet](https://HealthIT.gov) and [IB Actors fact sheet](https://HealthIT.gov).