



# ONC Health IT Certifications and Cost Disclosures

# Introduction

This document includes information regarding Meaningful Use (MU) for the promotion and support of the United States government standards for electronic health records (EHR), which is intended to outline and define how clinical patient data should be exchanged between amongst healthcare providers, insures and patients.

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**InteliChart, LLC**

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# Conditions and Maintenance of Certification

The Conditions and Maintenance of Certification requirements, as outlined in 42 U.S.C. 300jj-11(c)(5)(D), are initial and ongoing requirements that a health IT developer of certified health IT and its certified Health IT Module(s) must meet or adhere to in order to maintain their certification status in the ONC Health IT Certification Program (Certification Program).



# Maintenance of Certification

As a certified Health Information organization, IntelliChart retains all records and information necessary to demonstrate initial and ongoing compliance with the requirements of the ONC Health IT Certification Program for the following:

- (i) A period of 3 years beginning from the date a developer's Health IT Module(s) is first certified under the Program; or
- (ii) If for a shorter period, a period of 3 years from the effective date that removes all the certification criteria to which the developer's health IT is certified from the Code of Federal Regulations.

**By December 31, 2023, IntelliChart will comply with the requirements of paragraph (a)(4) of this section must provide all its customers of certified health IT with the health IT certified to the certification criterion in § 170.315(b)(10).**

**On and after December 31, 2023, a health IT developer that must comply with the requirements of paragraph (a)(4) of this section must provide all its customers of certified health IT with the health IT certified to the certification criterion in § 170.315(b)(10).**



# ONC Health IT Cost and Limitations

This EHR Module is ONC 2015 Edition compliant and has been certified by Drummond, an ONC-ACB, in accordance with the applicable certification criteria adopted by the Secretary of Health and Human Services. This certification does not represent an endorsement by the U.S. Department of Health and Human Services.

This EHR Module is ONC 2014 Edition compliant and has been certified by ICSA Labs, an ONC-ACB, in accordance with the applicable certification criteria adopted by the Secretary of Health and Human Services. This certification does not represent an endorsement by the U.S. Department of Health and Human Services.



# Cost and Limitations

The documentation below is solely based on standard transactions as required by ONC mandatory guidelines. As described in IntelliChart's Terms and Conditions are based on the standard contracts. All inquires or additional services may incur as fee which can be provided prior to delivery or receipt.

IntelliChart's remains in compliant 171.302 (Fees Exception and Basis for Fee Conditions); Title 45, where we:

- (i) Based on objective and verifiable criteria we are uniformly applied for all similarly situated classes of persons or entities and requests;
- (ii) Reasonably related to the actor's costs of providing the type of access, exchange, or use of electronic health information to, or at the request of, the person or entity to whom the fee is charged;
- (iii) Reasonably allocated among all similarly situated persons or entities to whom the technology or service is supplied, or for whom the technology is supported; and
- (iv) Based on costs not otherwise recovered for the same instance of service to a provider and third party.



# Cost and Limitations

Additionally, fees from IntelliChart are not based on any of the following:

- (i) Whether the requestor or other person is a competitor, potential competitor, or will be using the electronic health information in a way that facilitates competition with the actor;
- (ii) Sales, profit, revenue, or other value that the requestor or other persons derive or may derive from the access, exchange, or use of the electronic health information;
- (iii) Costs the actor incurred due to the health IT being designed or implemented in a non-standard way, unless the requestor agreed to the fee associated with the non-standard design or implementation to access, exchange, or use the electronic health information;
- (iv) Costs associated with intangible assets other than the actual development or acquisition costs of such assets; (v) Opportunity costs unrelated to the access, exchange, or use of electronic health information; or (vi) Any costs that led to the creation of intellectual property, if the actor charged a royalty for that intellectual property pursuant to [§ 171.303](#) and that royalty included the development costs for the creation of the intellectual property.





# Product Details and Versions

## **InteliChart Patient Portal version 3.5 – 2015 Edition Certification Date: September 21, 2017**

Certificate Number: 15.04.04.1722.Inte.35.0.0.170921

Certification Criteria: 170.315 (a)(13); (d)(1-7,9);e (1-3); (g)(2,4-9)

## **InteliChart Patient Portal version 3.5 for Ambulatory – 2014 Editions Certification Date: July 27, 2016**

Certificate number: 130087R04

Certification Criteria: 170.314 (a)(3); 170.314 (a)(4); 170.314 (a)(5); 170.314 (a)(11); 170.314 (a)(13); 170.314 (b)(1); 170.314 (b)(2); 170.314(d)(1); 170.314(d)(5); 170.314(e)(1); 170.314(e)(2); 170.314(e)(3); 170.314(f)(1); 170.314(g)(2); 170.314(g)(4)

## **InteliChart Patient Portal version 3.5 for Inpatient – 2014 Edition Certification Date: July 27, 2016**

Certificate number: 130088R04

Certification Criteria: 170.314 (a)(3); 170.314 (a)(4); 170.314 (a)(5); 170.314 (a)(11); 170.314 (a)(13); 170.314 (b)(1); 170.314 (b)(2); 170.314 (d)(1); 170.314 (d)(5); 170.314 (e)(1); 170.314 (e)(2); 170.314 (e)(3); 170.314 (f)(1); 170.314 (g)(2); 170.314 (g)(4)



# Product Details and Versions

## **InteliChart Patient Portal version 2.5 for Inpatient – 2014 Edition Certification Date: October 10, 2013**

Certificate Number: 130088R00

Certification Criteria: 170.315 (a)(13); (d)(1-7,9);e (1-3); (g)(2,4-9)

## **InteliChart Patient Portal version 3.5 for Ambulatory – 2014 Editions Certification Date: July 27, 2016**

Certificate number: 130087R04

Certification Criteria: 170.314 (a)(3); 170.314 (a)(4); 170.314 (a)(5); 170.314 (a)(11); 170.314 (a)(13); 170.314 (b)(1); 170.314 (b)(2); 170.314 (d)(1); 170.314(d)(5); 170.314 (e)(1); 170.314 (e)(2); 170.314 (e)(3); 170.314 (f)(1); 170.314 (g)(2); 170.314 (g)(4)

## **InteliChart Patient Portal version 3.5 for Inpatient – 2014 Edition Certification Date: July 27, 2016**

Certificate number: 130088R04

Certification Criteria: 170.314 (a)(3); 170.314 (a)(4); 170.314 (a)(5); 170.314 (a)(11); 170.314 (a)(13); 170.314 (b)(1); 170.314 (b)(2); 170.314 (d)(1); 170.314 (d)(5); 170.314 (e)(1); 170.314 (f)(1); 170.314 (g)(2); 170.314 (g)(4)



# Information Blocking

InteliChart is in adherence with [170.401](#), Information Blocking and Conditions of Certification requirements. Our organization does not participate in any actions that constitutes information blocking as defined in [42 U.S.C. 300jj](#) and [171.103](#).

## Assurances of Information Blocking

InteliChart does not prohibit or restrict any communications regarding the following as required in [170.402](#). Assurances:

- (i) The usability of its health IT;
- (ii) The interoperability of its health IT;
- (iii) The security of its health IT;
- (iv) Relevant information regarding users' experiences when using its health IT;
- (v) The business practices of developers of health IT related to exchanging electronic health information; and



# Information Blocking

- (vi) The manner in which a user of the health IT has used such technology.

In compliance with the above regulations IntelliChart provides assurances satisfactory to the Secretary that the health that we will not take any action that constitutes information blocking as defined in 42 U.S.C. 300jj–52 and § 171.103 of this chapter on and after April 5, 2021, unless for legitimate purposes as specified by the Secretary; or any other action that may inhibit the appropriate exchange, access, and use of electronic health information.



# Assurances of Information Blocking

InteliChart ensure that its health IT certified under the ONC Health IT Certification Program conforms to the full scope of the certification criteria. We will not take any action that could interfere with a user's ability to access or use certified capabilities for any purpose within the full scope of the technology's certification.



# Communications

InteliChart follows 170.403 Communications Conditions of Certification and does not prohibit or restrict any communication regarding:

- (i) The usability of our APIs;
- (ii) The interoperability of APIs;
- (iii) The security of our FHIR APIs;
- (iv) Relevant information regarding users' experiences when using our APIs;
- (v) The business practices of developers of health IT related to exchanging electronic health information; and
- (vi) The way a user of the health IT has used such technology.

Our organization does not engage in any practices that prohibits restricts a communication regarding the subject matters enumerated in paragraph (a)(1) of this section, unless the practice is specifically permitted by this paragraph and complies with all applicable requirements of this paragraph.

## **Unqualified protection for certain communications**

We do not prohibit or restrict any person or entity from communicating any information whatsoever (including proprietary information, confidential information, and intellectual property) when the communication is about one or more of the subject matters enumerated in paragraph (a)(1) of this section and is made for any of the following purposes:

- (A) Making a disclosure required by law;
- (B) Communicating information about adverse events, hazards, and other unsafe conditions to government agencies, health care accreditation organizations, and patient safety organizations;



# Communications

InteliChart does utilize the following criteria were applicable for unqualified protection for certain communications. Communication for the purpose of this document is defined as the use of any communication irrespective of the form or medium. The term includes visual communications, such as screenshots and video.

- (A) Making a disclosure required by law;
- (B) Communicating information about adverse events, hazards, and other unsafe conditions to government agencies, health care accreditation organizations, and patient safety organizations;
- (C) Communicating information about cybersecurity threats and incidents to government agencies;
- (D) Communicating information about information blocking and other unlawful practices to government agencies; or
- (E) Communicating information about a health IT developer's failure to comply with a Condition of Certification requirement, or with any other requirement of this part, to ONC or an ONC-ACB.

## **Developer employees and contractors**

Our organization may prohibit or restrict the communications of the developer's employees or contractors. We do not prohibit or restrict communications of users of their health IT who are also employees or contractors.

## **Screenshots and video**

### **We may require persons who communicate screenshots or video to—**

1. Not alter the screenshots or video, except to annotate the screenshots or video or resize the screenshots or video
2. Limit the sharing of screenshots to the relevant number of screenshots needed to communicate about the health IT regarding one or more of the six subject areas in paragraph (a)(1) of this section; and



# Communications

## Pre-market testing and development

We may prohibit or restrict communications that disclose information or knowledge solely acquired while participating in pre-market product development and testing activities carried out for the benefit of the developer or for the joint benefit of the developer and communicator. A developer must not, once the subject health IT is released or marketed for purposes other than product development and testing, and subject to the permitted prohibitions and restrictions described in [paragraph \(a\)\(2\)\(ii\)](#) of this section, prohibit or restrict communications about matters enumerated in [paragraph \(a\)\(1\)](#) of this section.

## Intellectual Property

InteliChart may prohibit or restrict communications that involve the use or disclosure of intellectual property existing in the developer's health IT (including third-party intellectual property), provided that any prohibition or restriction imposed by a developer must be no broader than necessary to protect the developer's legitimate intellectual property interests and consistent with all other requirements of paragraph (a)(2)(ii) of this section. A restriction or prohibition is deemed broader than necessary and inconsistent with the requirements of paragraph (a)(2)(ii) of this section if it would restrict or preclude a public display of a portion of a work subject to copyright protection (without regard to whether the copyright is registered) that would reasonably constitute a “fair use” of that work.

## Notice

As a requirement for maintenance of certification, InteliChart will provide written notice to all customers and those with which it has contracts or agreements containing provisions that contravene [paragraph \(a\)](#) of this section annually, beginning in calendar year 2021, until [paragraph \(b\)\(2\)\(ii\)](#) of this section is fulfilled, stating that any communication or contract provision that contravenes [paragraph \(a\)](#) of this section will not be enforced by the health IT developer.





# Application Programming Interfaces

As a condition and maintenance of certification and its requirements, IntelliChart is in adherence to the following:

## General

IntelliChart publishing its APIs and allow electronic health information from such technology to be accessed, exchanged, and used without special effort using APIs or successor technology or standards, as provided for under applicable law, including providing access to all data elements of a patient's electronic health record to the extent permissible under applicable privacy laws.

## Transparency and Conditions

IntelliChart ensures that all terms and conditions for its Certified API technology, including any fees, restrictions, limitations, obligations, registration process requirements, or other similar requirements that would be:

- (1) Needed to develop software applications to interact with the certified API technology;
- (2) Needed to distribute, deploy, and enable the use of software applications in production environments that use the certified API technology;
- (3) Needed to use software applications, including to access, exchange, and use electronic health information by means of the certified API technology;
- (4) (4) Needed to use any electronic health information obtained by means of the certified API technology;
- (5) (5) Used to verify the authenticity of API Users; and (6) Used to register software applications.



# Application Programming Interfaces

## API Fees

All fees charged by IntelliChart for the use of our certified API technology are described in detailed, plain language. The description of the fees are not limited to:

- (1) The persons or classes of persons to whom the fee applies;
- (2) The circumstances in which the fee applies; and
- (3) The amount of the fee, which for variable fees must include the specific variable(s) and methodology(ies) that will be used to calculate the fee.

## Fees Conditions

All fees related to certified API technology not otherwise permitted by this section are prohibited from being imposed by IntelliChart. The permitted fees in paragraphs [\(a\)\(3\)\(ii\)](#) and [\(iv\)](#) of this section may include fees that result in a reasonable profit margin in accordance with [§ 171.302](#).

## Permitted fees requirements

IntelliChart strives to ensure that the organization adheres to all the criteria below:

- (1) Ensure that such fees are based on objective and verifiable criteria that are uniformly applied to all similarly situated API Information Sources and API Users;
- (2) Ensure that such fees imposed on API Information Sources are reasonably related to the Certified API Developer's costs to supply certified API technology to, and if applicable, support certified API technology for, API Information Sources;



# Application Programming Interfaces

## Permitted fees requirements

(3) Ensure that such fees to supply and, if applicable, support certified API technology are reasonably allocated among all similarly situated API Information Sources; and

(4) Ensure that such fees are not based on whether API Information Sources or API Users are competitors, potential competitors, or will be using the certified API technology in a way that facilitates competition with the Certified API Developer.

## Prohibited fees

InteliChart does not charge fees for the following:

(1) Costs associated with intangible assets other than actual development or acquisition costs of such assets;

(2) Opportunity costs unrelated to the access, exchange, or use of electronic health information; and

(3) The permitted fees in this section cannot include any costs that led to the creation of intellectual property if the actor charged a royalty for that intellectual property pursuant to [§ 171.303](#) and that royalty included the development costs for the creation of the intellectual property.

## Record-keeping requirements

InteliChart ensures that records are retained for required inspections of any fees charged with respect to the Certified API technology, the methodology(ies) used to calculate such fees, and the specific costs to which such fees are attributed.

## Permitted fee— recovering API usages costs

InteliChart is permitted to charge fees to an API Information Source related to the use of certified API technology. The fees must be limited to the recovery of incremental costs reasonably incurred by the Certified API Developer when it hosts certified API technology on behalf of the API Information Source.



# Application Programming Interfaces

## **Openness and pro-competitive conditions; general condition**

InteliChart will grant an API Information Source the independent ability to permit an API User to interact with the certified API technology deployed by the API Information Source.

## **Non-discrimination**

InteliChart will provide certified API technology to an API Information Source on terms that are no less favorable than it provides to itself and its own customers, suppliers, partners, and other persons with whom it has a business relationship.

InteliChart will not offer different terms or services based on:

- (1) Whether a competitive relationship exists or would be created;
- (2) The revenue or other value that another party may receive from using the API technology.

## **Rights to access and use of certified API technology**

InteliChart is in compliance with the following requirements:

- (A) Rights that must be granted. A Certified API Developer must have and, upon request, must grant to API Information Sources and API Users all rights that may be reasonably necessary to:
  - (1) Access and use the Certified API Developer's certified API technology in a production environment;
  - (2) Develop products and services that are designed to interact with the Certified API Developer's certified API technology; and
  - (3) Market, offer, and distribute products and services associated with the Certified API Developer's certified API technology.



# Real-World Testing

## **InteliChart Real World Test Plans**

[InteliChart Real World Test Plan 2022](#)

[InteliChart Real World Test Plan 2023](#)

## **InteliChart Real World Test Results**

[InteliChart Real World Test Results 2023](#)



# Resources

- IntelliChart is currently certified for the 21<sup>st</sup> Century Cures Act and utilizing [United States .Core Data for Interoperability \(USCDI V1\)](#)
- Future versions of [United States Core Data for Interoperability \(USCDI\)](#)
- [HealthIT.gov](#) ONC

