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ObamaCare Technology Security Testing Is Months Behind Schedule

U.S. Department of Health and Human Services is behind in testing the security of the data hub that links state health care exchanges to the federal government.

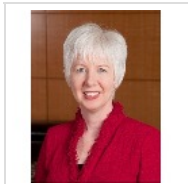
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Law Technology News August 7, 2013

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Tony Trenkle, director & CIO, CMS



Cindy Gillespie, McKenna Long & Aldridge

The implementation of The Patient Protection and Affordable Care Act (aka ObamaCare) has not been without hiccups. President Barack Obama has already **delayed the employer mandate** until 2015, and some Congressional Republicans are **threatening to shut down the government** in October unless the program is defunded. Add technological concerns to the president's growing list of headaches.

According to an Aug. 2 **report** issued by the U.S. Department of Health and Human Services' Office of the Inspector General, security testing is months behind schedule for the data hub that functions as the main conduit linking state health care exchanges to the federal government. **The Centers for Medicare and Medicaid Services** was scheduled to begin testing the security capabilities of the data hub during the first week of June, the report notes. But CMS has pushed the date back twice — first to July 15, and then to a date between Aug. 5 and 16 — so it could complete performance stress testing of the hub. The CMS' CIO, **Tony Trenkle**, was charged with determining on Sept. 4 whether or not the hub was properly secure; that deadline has now been stalled to Sept. 30 — one day before state health care exchanges are scheduled to go online for customers to buy health insurance.

Despite the delays, the report expressed confidence that testing would be complete and the hub would be certified as secure in time to meet the Oct. 1 deadline. CMS, which is conducting the security control assessment, must still test the data hub's firewall system and servers, and the report states that "several critical tasks remain to be completed in a short period of time." The report, however, warns that additional delays would deprive Trenkle of information needed to authorize the hub.

"We are on schedule and will be ready for the marketplaces to open on Oct. 1," CMS spokesperson Brian Cook said via statement. "This study was conducted in May, and we have made significant progress in the three months since then. CMS has extensive experience building and operating information technology systems that handle sensitive data." **Chris Rasmussen**, a policy analyst at the **Center for Democracy & Technology**, expressed concern over the delays. "The pressure to go live on Oct. 1 is high, but it's more important that we have a system that adequately protects the privacy of customers," said Rasmussen to *LTN*.

THE DATA HUB

The hub functions as an automated router linking state exchanges to the federal government. After customers


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input their tax, health, and personal information, the data would be sent, via the hub, to several federal agencies, including the Internal Revenue Service and the Department of Homeland Security, to determine health care eligibility and tax status, among other things. The hub, which according to the report does not actually store data, must meet minimum security standards set forth in 2002 by the National Institute of Standards and Technology.

Rasmussen said that the exchanges could still go online on Oct. 1, even if the hub was not certified as secure. "If [the security certification process] goes past Oct. 1, what you could see happen is that the exchanges might still collect customer information. That information just wouldn't get routed to the federal government's data hub."

Cindy Gillespie, the head of McKenna Long & Aldridge's health care policy group, disagreed, saying that was a temporary fix, at best. "That might be okay for a day or two, but people aren't going to wait for a month to find out if they're eligible for health insurance," said Gillespie to *LTN*.

Gillespie, who helped then-Massachusetts governor Mitt Romney implement his health reform plan in the state, expressed optimism that the security authorization process for the hub will be finished in time, and pointed out that the government had some flexibility beyond the Oct. 1 deadline. "There will be flurry of activity around Oct. 1, but the reality is that coverage is not available until Jan. 1," she said. "There's some time to get people through the process"

For ObamaCare opponents, the HHS inspector general's report confirmed some of their fears about the new health reform plan. According to the *Houston Chronicle*, U.S. Representative Kevin Brady (R-TX) called the data hub a "hacker's dream." Said Brady, during a Congressional hearing on Aug. 1: "I'm not sure who I most fear. Someone from the outside or the government."

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