

REQUESTS

NOTE: The regulations are identified by bold and italics.

The section number located at the top right corner of the first page of each regulation refers to the California Code of Regulations, Title 22, Division 7, Chapter 10, Article 8.

OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT
CALIFORNIA EMERGENCY DEPARTMENT AND
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REQUEST FOR MODIFICATION TO
PATIENT DATA REPORTING

Section 97240

(a) Reporting facilities may file a request with the Office for modifications to Hospital Discharge Abstract Data, Emergency Care Data, or Ambulatory Surgery Data reporting requirements. The modification request shall be supported by a detailed justification of the hardship that full reporting of data would have on the reporting facility; an explanation of attempts to meet data reporting requirements; and a description of any other factors that might justify a modification. Modifications may be approved for no more than one year. Modifications to the data reporting requirements must be approved before data to which they apply will be accepted. Any modification to reporting requirements are subject to disclosure to data users.

(b) In determining whether a modification to data reporting requirements will be approved, the Office shall consider the information provided pursuant to subsection (a) and evaluate whether the requested modification would impair the Office's ability to process the data or interfere with the purposes of the data reporting programs under the Act.

(c) Reporting facilities that did not have any discharges or encounters that are required to be reported pursuant to Section 97213 (a) for a specific report period must complete and submit a separate No Data to Report form (OSH-HID 772) as Revised on January 2011 on or before the required due date of the report either by using the online screen available through the MIRCAl system or by printing the online No Data to Report form and mailing or faxing it to the Office for that report period.

(d) Any facility that is not licensed to provide inpatient care, or does not provide Emergency Care encounters, or does not provide outpatient procedures, or is not licensed as a surgical clinic, and from whom such reporting is not therefore expected, is not required to file a No Data to Report form.

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EXTENSIONS OF TIME TO FILE REPORTS

Section 97241

(a) Extensions are available to reporting facilities that are unable to complete their submission of reports by the due date prescribed in Section 97211.

(1) Requests for extension shall be filed on or before the required due date of the report by using the extension request screen available through the MIRCAl system or by using the Patient Data Reporting Extension Request (OSH-HID 770) as revised January 2011. Notices regarding the use of extension days and new due dates, as well as notices of approval and rejection, will be e-mailed to the primary contact and Administrator e-mail addresses provided by the facility. If a Designated Agent e-mail contact address has been provided by the facility, this contact will also be notified.

(2) The Office shall respond within 5 days of receipt of the request by either granting what is determined to be a reasonable extension or disapproving the request. The Office shall not grant extensions that exceed the maximum number of days for all extensions. If a reporting facility submits the data report prior to the due date of an extension, those days not used will be applied to the number of remaining extension days. A reporting facility that wishes to contest any decision of the Office shall have the right to appeal, pursuant to Section 97052.

DISCUSSION

Pursuant to Section 97045 and 97250, any facility that does not file a patient data report by the due date is liable for a penalty of \$100 a day for each day the data report is late. Reporting facilities, not the designated agents, are responsible for filing an extension request to OSHPD. See Penalties and Appeals (Appendix B) Section 97045.

A reporting facility must have extension days available in their balance of extension in order for their extension request to be granted, regardless of which extension request method is used. The number of extension days granted may be greater than or less than seven (7) if the remaining balance of extension days is not sufficient.

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The maximum allowance of extension days applies to the facility's entire quarterly data report. When facilities consolidate their licenses, they are then limited to the maximum of extension days per report, whether a combined (single) data report or multiple data reports are submitted.

When an extension request is filed after the due date and is granted, a \$100 per day penalty is assessed against the facility from the due date to the date the extension request was filed. When an extension request is denied, a \$100 per day penalty is assessed from the due date to the date the data report is filed.

When an extension request meets the criteria for granting extensions, the request will be granted and a letter will be sent to the facility. When an extension request is denied, written notification of the denial and an explanation of the basis for the denial will be sent to the facility by Certified Mail. A facility may appeal the denial, as it may appeal a penalty. An appeal does not stop the accrual of penalty liabilities. When notices of penalties are mailed by OSHPD, appeal instructions are included.

If an extension is not granted, penalties begin to accrue immediately upon the due date. If the due date has passed, facilities can still request an extension. The penalty is limited to the days between the due date and the date the extension is filed. An Extension Request (DD1805) is available for download from the MIRCAl website or in the Forms section of this Manual. Completed Extension Request forms can be mailed before the due date to OSHPD or faxed to the Activity Desk for consideration at (916) 322-9555.

If the due date falls on a Saturday, Sunday, or holiday, the facility may submit data the next business day without penalty. Extension days are calendar days, not working days. Requests for extension do not prevent or stop the accrual of penalties unless the extensions are granted by OSHPD.

If an extension is granted and the reporting facility submits the data report in fewer days than allowed, OSHPD will consider only the extension days actually used.

Designated Agents: Reporting facilities, not the designated agents, are responsible for filing an extension request to OSHPD. The reporting facility is liable for penalties, despite any responsibility of designated agents.

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(b) A maximum of 14 extension days will be allowed for all extensions and resubmittals of reports with discharges or encounters occurring on or after January 1, 2005.

(c) If a report is rejected on, or within 7 days before, or at any time after, any due date established by Subsections (c) or (d) of Section 97211, the Office shall grant, if available, an extension of 7 days. If less than 7 days are available all available extension days will be granted.

DISCUSSION

The above text in (c) refers to the seven-day **automatic extension process** option.

Rather than submitting an extension request, facilities may utilize the automatic seven (7) day extension process. The online extension process provides the reporting facility the convenience of an automatic seven (7) day extension that begins after the due date.

Automatic seven (7) day extensions are given to a facility when data are formally rejected on, or within seven (7) days before, or at any time after, the original due date. After the due date, reporting facilities will continue to receive seven (7) automatic extension days after each formally rejected data submission until they have exhausted all available extension days.

OSHPD recommends that reporting facilities utilize the Test function when submitting data until they are within seven (7) days, or less, of the due date before making a determination to submit Formal. By doing so, reporting facilities can reduce the number of formal rejection e-mail notifications and letters that are received.

Auto extensions are not granted for Test submissions.

If the due date falls on a Saturday, Sunday, or holiday, the facility may submit data the next business day without penalty. Extension days are calendar days, not working days. Requests for extension do not prevent or stop the accrual of penalties unless the extensions are granted by OSHPD.

If an extension is granted and the reporting facility submits the data report in fewer days than allowed, OSHPD will consider only the extension days actually used.

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(d) If the Office determines that the MIRCal system was unavailable for data submission for one or more periods of 4 or more continuous supported hours during the 4 State working days before a due date established pursuant to Section 97211, the Office shall extend the due date by 7 days.

DISCUSSION

Pursuant to Section 97250, any reporting facility that does not file a data report by the due date is liable for a penalty of \$100 a day for each day the data report is late. Refer to Penalties and Appeals (Appendix B) Section 97045, Failure to File Required Reports.

An Extension Request (DD1805) is available for download from Resources link on the MIRCal informational website or in Appendix F of this Manual. Completed Extension Request forms can be mailed before the due date to OSHPD or faxed to the Activity Desk for consideration at (916) 322-9555.

The maximum allowance of extension days applies to the reporting facility's entire semiannual discharge data report. When reporting facilities consolidate their licenses, they are then limited to the maximum of extension days per report period, whether a combined (single) discharge data report or multiple discharge data reports are submitted.

If an extension is not granted, penalties begin to accrue immediately upon the due date. If the due date has passed, reporting facilities can still request an extension. The penalty is limited to the days between the original due date and the date that the extension is filed.

When an extension request is filed after the due date and is granted, a \$100 per day penalty is assessed against the reporting facility from the due date to the date the extension request was filed. When an extension request is denied, a \$100 per day penalty is assessed from the due date to the date the data report is filed.

Once the Office determines that an extension request (whether through an online submission or extension request form) includes sufficient justification and is granted, an e-mail (if available) and a letter will be sent to the reporting facility. When an extension request is denied, written notification of the denial and an explanation of the basis for the denial will be sent to the reporting facility by Certified Mail. A reporting facility may appeal the denial, the same as a hospital may appeal a penalty. An appeal does not stop the accrual of penalty liabilities.

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When notices of penalties or denials of extension requests are mailed by OSHPD, appeal instructions are included.

A reporting facility must have extension days available in their balance of extension in order for their extension request to be granted, regardless of which extension request method is used.

The number of automatic or manual extension days granted may be greater than or less than seven (7) if the remaining balance of extension days is not sufficient, or to avoid a due date falling on a weekend or holiday.

Designated Agents: Reporting facilities, not the designated agents, are responsible for filing an extension request to OSHPD. The reporting facility is liable for penalties, despite any responsibility of designated agents.