

## DEFINITIONS of Trading Partner Agreement

- A. **Trading Partner**: When capitalized, the term “Trading Partner” means the person or entity named in the first paragraph of this Agreement as the party contracting with ABCBS. When the term “trading partner” is used without capitalization, it means, in addition to the specific Trading Partner named herein, any other person or entity who will be receiving EDI information from or providing EDI information to ABCBS and who requires a submitter number because of a business need. Such person or entity may be an individual provider, a clinic composed of multiple providers, a clearinghouse or a billing agent.
- B. **Electronic Data Interchange or “EDI”**: means the computer-to-computer exchange of business information between trading partners using the standard transaction formats (ANSI ASC X12). Because EDI differs from manual methods of data exchange, this Agreement is intended to resolve EDI specific issues not covered by any other agreements between ABCBS and its trading partners.
- C. **Transaction Standard(s)**: means transaction formats approved for general use by the American National Standards Institute (ANSI) Accredited Standards Committee (ASC) X12, and adopted by the Secretary of HHS, including the transactions rules set out in the Standards for Electronic Transactions, 45 C.F.R. Parts 160 and 162, as may be amended and modified from time to time. EDI standards for automated information systems include, but are not limited to, transaction sets, implementation guides, data dictionary, segments dictionary and transaction controls.
- D. **Direct Data Entry (DDE)**: means systems used for online claim entry or correction, claim status, or eligibility. This includes but is not limited to Medicare Part A remote, Medicare Part B remote, or any ABCBS online remote.
- E. **Business Associate**: means a third-party organization, designated in the Trading Partner Business Associate Authorization Rider, that contracts with Trading Partner to perform services to facilitate the electronic transfer of data or funds or to conduct other business functions on behalf of Trading Partner. Examples of Business Associates include, without limitation, clearinghouses, vendors, billing services, service bureaus, accounts receivable management firms and banking institutions.
- F. **Business Need**: means a requirement on the part of either a provider or ABCBS in order to facilitate EDI exchange, i.e. a provider or submitter who has a legitimate business need to have their own submitter number in order to receive batch process reports, remittance advice, etc., independent of their clearinghouse. Trading partners, clearinghouses, billing agents, and others will be notified by the provider and/or ABCBS if such a need exists.
- G. **CMS**: means the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services. CMS is a federal agency (formerly known as Health Care Financing Administration or HCFA) that administers the Medicare and Medicaid programs.
- H. **Confidential Health Information**: means information relating to specific individuals, including Individually Identifiable Health Information, that is exchanged by and between ABCBS and Trading Partner or Business Associate for various business purposes, and that is protected from disclosure to unauthorized persons or entities by Social Security Act § 1171 *et seq.*, the Standards for Privacy of Individually Identifiable Health Information, 45 C.F.R. Parts 160 and 164, the Privacy Act of 1974 (5 U.S.C. § 552A), or other applicable state and federal statutes and regulations, including statutes and regulations protecting the privacy of general medical, mental health and substance abuse records (collectively, “Privacy Statutes and Regulations”).
- I. **Covered Individual**: means a person whose claims for services or supplies may be eligible to be paid under the terms of an applicable governmental or private program health benefit plan for which ABCBS processes or administers claims, and specifically includes without limitation Medicare eligible individuals. ABCBS and Trading Partner acknowledge and agree that claim payments made according to this Agreement will be made directly to Trading Partner or Business Associate on behalf of the Covered Individual.

- J. **Health Information**: means any information, whether oral or recorded in any form or medium that (i) is created or received by a Provider, health plan, public health authority, employer, life insurer, school, university or health care clearinghouse and (ii) relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual or the past, present, or future payment for the provision of health care to an individual.
- K. **HHS**: means the Secretary of Health and Human Services or his/her designee or, where particular authority or activity is delegated by HHS to a contractor or intermediary, such as ABCBS, shall further mean such contractor or intermediary.
- L. **Individually Identifiable Health Information**: means any Health Information, including demographic information collected from an individual, that is created or received by a Provider, health plan, employer or health care clearinghouse and either (i) identifies an individual or (ii) creates a reasonable basis to believe the information can be used to identify the individual.
- M. **Data Transmission**: means automated transfer or exchange of data, pursuant to the terms and conditions of this Agreement, between ABCBS and Trading Partner or Business Associate by means of their respective operating systems, which are compatible for that purpose.
- N. **Lost or Indecipherable Transmission**: means a data transmission that is not received or cannot be processed to completion by the receiving Party because it is garbled or incomplete, regardless of how or why the data transmission was rendered garbled or incomplete.
- O. **Payer**: means a business organization that provides benefit payments for certain services or supplies rendered or sold to Covered Individuals or their eligible dependents under the terms, conditions, limitations and exclusions of a health benefit plan or program issued or administered by the Payer.
- P. **Proprietary Information**: means information used or created by ABCBS in the conduct of its business activities that is not normally made available to ABCBS's customers, competitors or third parties, the disclosure of which will or may impair ABCBS's competitive position or otherwise prejudice ABCBS's ongoing business.
- Q. **Provider**: means a hospital or professional practitioner duly certified or licensed to provide health care services to Covered Individuals, and includes, without limitation, extended care facilities, skilled nursing facilities, rehabilitation facilities, home health agencies, hospices, physicians, dentists, clinical social workers, ambulance services, and hospitals or professional practitioners specifically certified or approved by HHS to provide reimbursable health care services to Medicare Eligible Individuals. This definition of "Provider" is intended for purposes of this Trading Partner Agreement only, and shall not be construed to expand, contract or override any definition of "Provider" in any health benefit plan, program or policy issued or administered by ABCBS, nor to require coverage of services by nor payment to any type or class of health care provider.
- R. **Envelope**: means a control structure in a format designated by ABCBS for the electronic interchange of one or more encoded data transmissions between ABCBS and Trading Partner or Business Associate.