

NON-AVAILABILITY STATEMENT (NAS) REQUIREMENTS

1.0. NONAVAILABILITY STATEMENT (NAS) DATA ON DEERS

1.1. General

Nonavailability Statement (NAS) processing is required for all programs except those specified by the [Policy Manual, Chapter 11, Section 2.1](#). The automated INAS policy applies to all 50 states, the District of Columbia, and Puerto Rico.

Effective **December 28**, 2003, NAS data will be created by Military Treatment Facilities (MTFs) using the Enterprise Wide Referral and Authorization System (EWRAS). NAS data will be transmitted to Managed Care Support Contractors (MCSCs) by the EWRAS using ANSI ASC X12N 278 Health Care Services Review transactions. See [Chapter 9, Section 7](#) for EWRAS and NAS requirements.

NOTE: While ANSI ASC X12N 278 Health Care Services Review transaction will be used by the EWRAS to transmit NAS data to the MCSCs, NASs are not considered a HIPAA-covered transaction. NASs are not referrals or authorizations as defined under HIPAA. As their name indicates, NASs are statements of non-availability. They communicate to patients and to TRICARE claims processors that required care is not available within an MTF. NASs make no referrals to specific providers nor do they request authorization for specific procedures. They advise that an MTF cannot provide the needed care and that the patient is permitted to seek treatment outside of the MTF. The HIPAA Transaction and Code Set Final Rule defines a Referral Certification and Authorization Transaction as follows:

“The referral certification and authorization transaction is any of the following transmissions:

- (a) A request for the review of health care to obtain authorization for the health care.
- (b) A request to obtain authorization for referring an individual to another health care provider.
- (c) A response to a request described in paragraph (a) or paragraph (b) of this section.”

NASs do not meet the above definition and are, therefore, not considered a HIPAA-required transaction. The Enterprise-Wide Referral and Authorization system is being used to generate unsolicited 278 transactions since NAS data will no longer be available on DEERS.

1.2. DEERS Eligibility Inquiry And NAS Data

On a DEERS Eligibility Inquiry, Type 2, the NAS Required Indicator field must contain a '0'.

1.3. DEERS Eligibility Response And NAS Data

Effective **December 28**, 2003, the DEERS Eligibility Response, Type 3, will no longer contain any NAS segments.