

Non-Availability Statement (NAS)

1.0 NON-AVAILABILITY STATEMENT (NAS)

1.1 Effective for admissions on or after December 28, 2003, the NAS requirement is eliminated except for behavioral health admissions. For non-emergency inpatient behavioral health care, the NAS requirement is eliminated for admissions on or after March 28, 2013. However, with the exception of maternity care, the Assistant Secretary of Defense (Health Affairs) (ASD(HA)) may require NASs when:

- Significant costs would be avoided by performing specific procedures at the affected MTFs, or
- Specific procedures must be provided at the affected Military Treatment Facilities (MTFs) to ensure proficiency levels of the practitioners, or
- The lack of NAS data would significantly interfere with TRICARE contract administration.

NASs are issued to TRICARE non-enrolled beneficiaries and permit care outside of an MTF as stipulated by policy and the MTF Commanders. Contractors shall receive NAS information via an unsolicited, non-standard ANSI ASC X12N 278 Health Care Service Review transactions.

Note: While ANSI ASC X12N 278 Health Care Service Review transactions will be used to transmit NAS data to the contractors, NASs are not considered a Health Insurance Portability and Accountability Act (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 beneficiaries 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 or grant authorization for specific procedures.

The HIPAA Transaction and Code Set Final Rule defines a Referral Certification and Authorization as follows:

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

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

TRICARE Systems Manual 7950.2-M, February 1, 2008

Chapter 4, Section 1.1

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NASs do not meet the above definition and are, therefore, are not considered a HIPAA required transaction.

1.2 NASs will be created by MTFs, and routed to the Managed Care Support Contractors (MCSCs) via TRICARE Online (TOL) as unsolicited 278s. MCSCs shall load all NAS data received to their internal referral and authorization systems where they will be accessible to the claims processing and customer service systems.

1.3 Should TOL go down, contractors should contact the TOL Tier 2 Help Desk at: 1-800-501-8662. If there are planned system maintenance or downtime, the TOL Tier 2 Help Desk will notify the contractors of the consequent non-availability of the system. All contractors using TOL shall identify and provide the Tier 2 Help Desk with the names, telephone numbers, and e-mail addresses of contractor Point Of Contact (POC) who can be notified by the TOL Tier 2 Help Desk of system problems. Contractors shall provide the TOL Tier 2 Help Desk with POC updates on a quarterly basis or more frequently should contractor POCs change.

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