



Transparency Attestation Form (45 CFR § 170.523(k)(2))

The 2015 Edition Final Rule includes a new transparency attestation requirement that is applicable to all health IT developers whose product(s) have been issued a 2014 Edition certification and will be issued a 2015 Edition certification. A developer only needs to respond to the attestation once, even if it has multiple product certifications. All health IT developers must make one of the following attestations:

In the affirmative:



In support of enhanced marketplace transparency and visibility into the costs and performance of certified health IT products and services, and the business practices of health IT developers, **[Developer Name]** hereby attests that it will provide in a timely manner, in plain writing, and in a manner calculated to inform, any part (including all) of the information required to be disclosed under 45 CFR § 170.523(k)(1) under the following circumstances:

- To all persons who request such information.
- To all persons who request or receive a quotation, estimate, description of services, or other assertion or information from **[Developer Name]** in connection with any certified health IT or any capabilities thereof.
- To all customers prior to providing or entering into any agreement to provide any certified health IT or related product or service (including subsequent updates, add-ons, or additional products or services during the course of an on-going agreement).

- OR -

In the negative:



[Developer Name] hereby attests that it has been asked to make the voluntary attestation described by 45 CFR § 170.523(k)(2)(i) in support of enhanced marketplace transparency and visibility into the costs and performance of certified health IT products and services, and the business practices of health IT developers. **[Developer Name]** hereby declines to make such attestation at this time.

Pursuant to the 2015 Edition Final Rule, ONC-ACBs must include developers' attestations (i.e., a "yes" or "no") in the information submitted to National Coordinator for inclusion in the CHPL. Please take note that a developer's attestation under 45 CFR § 170.523(k)(2) does not broaden or change the scope of the information a developer is required to disclose under 45 CFR § 170.523(k)(1).

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