

HOUSE CONCURRENT RESOLUTION

URGING THE UNITED STATES CONGRESS TO AMEND FEDERAL LAW TO PROVIDE FLEXIBILITY IN THE ELECTRONIC RECORD REQUIREMENTS OF THE HEALTH INFORMATION TECHNOLOGY FOR ECONOMIC AND CLINICAL HEALTH ACT.

1 WHEREAS, the Health Information Technology for Economic and 2 Clinical Health (HITECH) Act was enacted as part of the American 3 Recovery and Reinvestment Act of 2009 to accelerate the adoption 4 and use of health information technologies; and 5

6 WHEREAS, the HITECH Act authorizes the Centers for Medicare 7 & Medicaid Services to provide financial incentives to 8 hospitals, physicians, and other eligible professionals to adopt 9 and meaningfully use certified electronic health record (EHR) 10 systems to improve patient care; and

WHEREAS, the federal law also provides that hospitals, physicians, and other eligible professionals who fail to implement Emergency Medical Record (EMR) technology or demonstrate meaningful use certified EHR technology by 2015 will experience a reduction in Medicare/Medicaid fee reimbursements, starting with a one percent reduction and increasing to a three percent reduction by 2017 and beyond; and

20 WHEREAS, the transition to an EMR or EHR system engenders 21 many challenges for healthcare professionals, as the process 22 involves conformance to strict technical standards and 23 certification requirements, and privacy and security issues 24 continue to be of concern; and

26 WHEREAS, implementing an EMR or EHR system comes with 27 immense costs associated with investment in expensive hardware 28 and software, and conversion of a multitude of records; and



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WHEREAS, small rural hospitals, sole practitioners, and 1 small groups of practitioners in particular are experiencing the 2 financial and operational challenges of meeting the regulatory 3 requirements of the information technology mandate, as 4 5 demonstrated by the current trend toward hospital consolidations and partnerships as hospitals and physicians must balance 6 7 providing quality healthcare services with federally-mandated 8 technology and implementation of an EHR system; and 9 WHEREAS, physicians and other eligible professionals must 10 also devote significant time to train themselves and their staff 11 12 in the use of an EHR system, and dedicate an inordinate amount 13 of time maintaining the system while conducting their medical practices; and 14 15 WHEREAS, as a result of significant reductions in 16 17 reimbursement rates, there has been a decline in the number of physicians accepting Medicare and Medicaid patients, thus making 18 it increasingly difficult for these individuals to access 19 medical care; and 20 21 22 WHEREAS, hospitals, physicians, and other healthcare providers can ill-afford penalties to Medicare and Medicaid 23 reimbursements for not complying with the HITECH requirements, 24 which could lead to further reductions in the availability of 25 health care services for Medicare and Medicaid patients; and 26 27 WHEREAS, while the nationwide system of EMR and EHR 28 technology holds significant promise in providing a high 29 30 quality, coordinated system of care through a secure and confidential electronic exchange of health information, it takes 31 substantial time and a substantial dedication of resources to 32 33 transition from paper to an EHR system, thereby placing a toll 34 on medical professionals attempting to comply with the federal law according to stringent deadlines; and 35 36 37 WHEREAS, at a time when the nation is facing a projected shortage of 20,400 primary care physicians according to the 38 United States Department of Health and Human Services and a 39 40 shortage of healthcare providers who will accept Medicare and 41 Medicaid patients, providing flexibility to the electronic record requirements of the HITECH Act would lessen the number of 42



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primary care practitioners and other healthcare professionals
who have no reasonable recourse other than closing their
practices or retiring early, due to the burdensome requirements
of the HITECH Act; now, therefore,

6 BE IT RESOLVED by the House of Representatives of the 7 Twenty-eighth Legislature of the State of Hawaii, Regular 8 Session of 2016, the Senate concurring, that the United States 9 Congress is urged to amend federal law to provide flexibility to 10 hospitals, physicians, and other eligible professionals in 11 meeting the electronic record requirements of the HITECH Act; 12 and

14 BE IT FURTHER RESOLVED that certified copies of this 15 Concurrent Resolution be transmitted to the President of the 16 United States, President of the United States Senate, Speaker of 17 the United States House of Representatives, members of Hawaii's 18 Congressional Delegation, President of the American Medical 19 Association, and President of the Hawaii Medical Association. 20

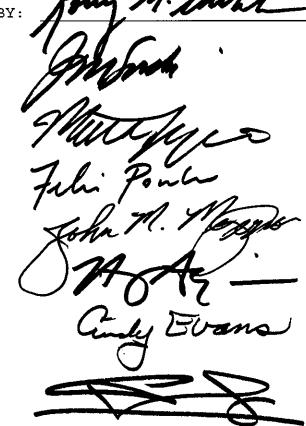
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