

Committee on Ways and Means

Subcommittee on Health

Short Summary of Chairman's Amendment to H.R. 4157, the *Health Information Technology Promotion Act of 2006*

Office of the National Coordinator for Health Information Technology

- Codifies the Office of the National Coordinator for Health Information Technology (IT) in statute and clearly delineates its ongoing roles and responsibilities to coordinate federal health information technology efforts.

Stark/Anti-Kickback Safe Harbors

- Allows entities, including hospitals and group practices, to provide physicians with hardware, software, or related services used for the electronic exchange of clinical health information.
- Enables private sources of funding to finance physician adoption of electronic health records systems without running afoul of the fraud and abuse statutes.
- Prevents fraud and abuse by prohibiting the use of volume or value of referrals as a quid pro quo for the provision of health IT.

Uniform Privacy/Security Standards

- Requires the Secretary of HHS to conduct a study on the impact of variation between state security and confidentiality laws and federal security and confidentiality standards. The Secretary would report back to Congress within 18 months with determinations on whether state and federal security and confidentiality laws need to be made more consistent to strengthen the security and confidentiality of individually identifiable health information, and, if so, how such laws and standards should be conformed.
- If Congress does not enact legislation 18 months after receipt of the study, the Secretary has the authority, but is not required, to modify federal standards and limit State laws, based on the recommendations from the study.

Adoption of Modern Coding System

- Requires the Secretary to adopt updated claims transaction standards and a new diagnosis coding system. The current system is almost 30 years old and does not accurately reflect today's diagnoses or medical technology.

Updating of Standards

- Requires the Secretary to adopt or reject proposed modifications or additions to existing standards within 90 days if the National Committee on Vital and Health Statistics (NCVHS) recommends the change.
- Under the current process, it may take months or even years to approve a modified standard.
- This will speed adoption of the coding and transaction standards.

Report on the American Health Information Community

- Requires the Secretary of HHS to report back in one year on the activities of the public-private American Health Information Community (AHIC) recently chartered by the Secretary, with recommendations for the ongoing structure and responsibilities of the entity.

Strategic Plan for Coordinating Implementation of Health Information Technology

- Requires the development of a strategic federal plan to coordinate implementation efforts for health information technology standards, transaction standards, and new coding systems.
- Ensures that current efforts around the development of electronic health records are coordinated with ongoing efforts to implement electronic transaction standards developed under the Health Insurance Portability and Accountability Act (HIPAA).