

# Health Data and Information Systems: What are the odds for legislation?

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# Frist Vision for a 21<sup>st</sup> Century Health Care System

- Core
  - Patient (and family) Centered
  - Consumer Driven
  - Provider Friendly
- Driven by
  - ***Information***
  - Choice
  - Control

# Context for Consideration

HIT → Tool

*Health IT is NOT a silver bullet  
or miracle cure*

# Information Technology in Medicine: Vision

## TODAY

- Billing
- Diagnostics

## GOAL

- Diagnostics
- Treatment
- Record Keeping
- Decision Support
- Care Management
- Real Time integration of research
- Quality Measurement

# How do we achieve the vision?

- What will it take to make information technology common place in the exam room for record keeping and decision support?
- What will it take to make the most of the potential?
- What is the role for legislation?

# Where does policy consensus exist?

- Standards for Interoperability
  - Common vocabularies
  - Common rules
- Common Oversight/Regulation
- Elimination of Legal Barriers
- Security and Privacy Protections
- Work Flow Changes – Culture Shift
- Market Stability

# So what is up for discussion?

- Adoption of Quality Measures
- Financing
- HIPAA
- Stark and AKS
- IDC codes

# Who's opposed to quality?

- Ties that bind --
  - Quality and HIT
  - OR
  - Quality and \$\$\$

# Financing

- We don't buy building contractors hammers.
- We don't buy doctors stethoscopes.
- Are we expected to buy doctors computers?

# Financing: House vs. Senate

- Senate compromise funds grants to establish:
  - Networking and Quality Reporting  
AND/OR
  - State based loan programs  
AND/OR
  - Direct purchase of technology for disproportionate share providers
- House?

# HIPAA

- Both the House and Senate apply HIPAA privacy protections to EMRs
- Senate studies the differences between states, impact on data sharing, and requests recommendations re: privacy and a study on standards harmonization between HIPAA and HIT
- House authorizes Secretary to make recommendations and preempt state laws re: privacy
- Some privacy advocates would like to increase disclosure requirements and penalties re: privacy

# Stark and AKS

- Both Chambers agree it must be addressed
- Senate-passed bill does not directly address it
- House bills do

# ICD Codes

- House requires implementation of ICD-10 codes
- Senate bill is silent

# Prospects

- Wired for Health Care Quality passed Senate – November 2005
- Johnson/Deal Bill reported from House W&M Committee – May 24, 2006
- Johnson/Deal Bill scheduled for mark-up in E&C Committee – following Memorial Day Recess
- House consideration – June?!
- Conference?!?!

# Prospects - Continued

- Priorities for the Leader:
  - HIT legislation
  - Addressing health disparities through a quality improvement approach (collecting data by race, ethnicity and level of health literacy)
- SGR update will be tied to quality – HIT is efficient way to measure and report quality data
- HIT is small island of bipartisan agreement