

Legislative Update

On August 17, 2007, Dave Roberts, FHIMSS, Vice President of Government Relations, HIMSS, presented the following information on current federal legislation, HIMSS Government Relations activities, messaging for Chapter Advocacy Liaison Roundtable (CALR), and the Capitol Hill Outreach Strategy Planning Session at the monthly CALR meeting.

Current Legislation

This summer, the most prominent legislation that includes healthcare IT is as follows:

- 1) Reauthorizing SCHIP (State Children's Health Insurance Program)
 - a. Senate Legislation (SConRes 21)
 - i. In the Senate, Democrats and Republicans compromised on legislation expanding SCHIP by \$35 million. Because of the new "Pay-go" legislation, the Senate proposes paying for this expansion by raising the cigarette tax.
 - b. House Legislation "CHAMP or Children's Health and Medicare Protection Act" (HR 3162)
 - i. Among many things, CHAMP would expand SCHIP by approximately \$100 million.
 - ii. Since HR 3162 could likely be the only authorizing piece of legislation this year, the House is using this bill to roll out some other pieces of legislation. For example, HR 3162 calls for an increase in the Sustainable Growth Rate (SGR) in FY08. Without an increase in the SGR, reimbursement reductions will amount to nearly 10% for physicians in 2008.
 - iii. Under Section 905 of the bill, the Secretary of the US Department of Health and Human Services (HHS) is required to report, no later than January 1, 2010, how healthcare IT can best be implemented among providers within the Medicare program. The report would be an unfunded mandate. The belief by some is that Section 905 is simply a placeholder for other provisions once the bill reaches conference committee. HIMSS does not support Sec. 905.
- 2) Wired for Healthcare Quality Act (S 1693)
 - a. A comprehensive healthcare IT bill that writes into law much activity already underway within the current administration. For example, the legislation:
 - i. Codifies the Office of the National Coordinator
 - ii. Creates a public private partnership to address issues pertaining to healthcare IT (currently the American Health Information Community, AHIC)

The bill also provides grants for federal, state, and local health information exchange projects.

- b. The Congressional Budget Office (CBO) estimates that the bill would cost \$47 million in FY08, and total of \$317 million from FY08 – FY12.
- c. HIMSS does not support this legislation, due to two concerns:
 - i. Believed the public private partnership would be duplicative of CCHIT, HITSP, and AHIC that are already underway (after a recent discussion with Senator Enzi's staff, HIMSS learned that this language is intended to codify current activities, not replace them)
 - ii. Concerned with privacy provisions included in the legislation. Currently, the HIMSS Privacy and Security Steering Committee is examining the provisions and may suggest revised language to the Senate Health, Education, Labor, and Pensions Committee (Senate HELP Committee) in the coming months.
 - iii. There is no companion bill to S 1693 in the House.

Other Government Relations Updates

- 1) Congressional Budget Office: In an effort to increase educational awareness surrounding healthcare IT and management systems, HIMSS has been conducting a series of educational sessions with the CBO (6 sessions). HIMSS has also conducted one site visit to an ambulatory care practice.

In July, HIMSS' Health Information Exchange (HIE) Steering Committee worked with HIMSS Government Relations on an educational session pertaining to Regional Health Information Organizations (RHIOs) and local health information exchanges.

CBO staff is appreciative of the sessions. HIMSS will continue collaboration with the CBO.

- 2) AHIC: Today (August 17, 2007), HHS is conducting a public meeting to discuss AHIC's successor. HIMSS staff, Steve Lieber and Tom Leary, is in attendance.
- 3) Independent Health Record Trusts: HIMSS has not taken a position on the issue of Independent Health Record Trusts. HIMSS has been working with Representative Dennis Moore (D-KS) and his staffer, Adam Pase, regarding HR 2991, the Independent Health Record Trust Act. Unless HIMSS decides to outright support the legislation, Representative Moore requests that HIMSS not address the legislation on Capitol Hill at this time.

Messaging for CALRs during August Visits to their Congressional Members

HIMSS suggest that CALRs include the following items in their discussions with Congressional Members:

- 1) HR 3162: Section 905 of HR 3162 (CHAMP) is harmful and does not help facilitate healthcare HIT transformation.

- 2) SCHIP: SCHIP negotiations are complex, HIMSS recommends that CALR members steer away from those discussions.
- 3) S 1693: Although HIMSS does not support the “Wired for Healthcare Quality Act”, S 1693, HIMSS does support legislating for a nationwide health information infrastructure. HIMSS believes that any health information exchange should be private and secure.
- 4) Support the Senate Appropriations funding level for the Office of the National Coordinator (\$71 Million).

Fall 2007 Capitol Hill Outreach Strategy Planning Session

- Monday, August 27, 12:30 – 1:30 p.m. EASTERN at HIMSS Arlington Office
- CALRs are welcome to call-in at 1-877-352-0183; passcode 861543#
- Purpose to plot HIT congressional outreach strategy for remainder of 2007