

Statement of Rep. Anna G. Eshoo
Introduction of the *Promotion of Health Information Technology Act*
U.S. House of Representatives
October 10, 2007

Madam Speaker, we live in the Information Age, but health care, one of the most information-intensive segments of our economy remains mired in a pen-and-paper past. We can buy airline tickets online, we can check our bank accounts from anywhere in the world, and we send pictures of new babies and grandchildren to friends and family via e-mail or instant messages. The health care industry, however, remains dangerously disconnected. Patients' medical histories are largely disaggregated among the various physicians who have treated them, and are often inaccessible to a new doctor or even to the patients themselves.

Such an inefficient health care information system creates unnecessary risks and costs. It's time to look at health care in a new way, focusing on overall health and not simply disease. We need to move toward a model of integrated care by providing ways for a patient's physicians to coordinate their care, and promote the modernization of our nation's health care system.

Health information technology (HIT) promises to revolutionize the health care delivery system and have a powerful effect on enhancing patient safety, reducing medical errors, improving the quality of care, and reducing healthcare costs. The deployment of HIT and the adoption of important patient tools such as electronic health records (EHRs) have been slow and have not kept pace with the advances of technology in nearly every other aspect of our lives.

To accelerate the adoption of HIT and create market conditions and incentives which will encourage investment in this critical technology, I'm introducing today the *Promotion of Health Information Technology Act*. This legislation builds on the excellent work of Senators Kennedy and Enzi and will promote HIT in the federal government and throughout the healthcare sector.

Any meaningful HIT legislation must establish a process for the rapid formulation and implementation of standards to facilitate the exchange of interoperable health data and create incentives to ensure that these technologies are actually adopted. The *Promotion of Health Information Technology Act* establishes a streamlined process for the adoption of HIT interoperability standards and requires the federal government to abide by the standards it sets.

The legislation establishes a permanent position within HHS with broad responsibility to facilitate the exchange of interoperable health information and coordination of the government's own health IT activities and procurement. It also creates a permanent public-private advisory body to recommend or endorse appropriate HIT interoperability standards with definitive timeframes for adoption and updates. Broadly accepted interoperability standards are vital to the development of IT systems that can communicate and share information.

Under my legislation all federal HIT procurement must comply with the standards endorsed by the interoperability standards body. In addition, all agencies that collect health data electronically for purposes of quality reporting, health surveillance and other purposes must comply with endorsed standards. For HIT to gain a foothold in the healthcare marketplace, it is

essential for the federal government to utilize its purchasing power in healthcare to ensure the United States is rapidly adopting these innovative technologies.

The *Promotion of Health Information Technology Act* also provides important protections for patients and their sensitive medical information. The bill establishes an ongoing system for certification of Electronic Health Records products by third party entities and guarantees that individuals will have the right to inspect and obtain a copy of their EHRs and amend any inaccurate or fraudulent information. It also clarifies that operators of health information electronic databases like Google Health, Revolution Health, and WebMD are deemed to be covered entities under HIPAA. The use of non-identifiable health data for public health and research purposes is permitted with appropriate patient approval.

The bill establishes a process for the development of reports by “Health Quality Organizations” on federal healthcare data to advance healthcare research, enhance consumer education and awareness, and provide the public with reports on national, regional, and provider- and supplier-specific performance.

Finally, to provide resources for the adoption of HIT nationwide the *Promotion of Health Information Technology Act* authorizes funding for grant programs to assist state and local governments adopt HIT and promote adoption within their states. It also establishes a grant program for regional health information exchanges and a competitive grant program for private-sector healthcare providers, with a preference for providers that use the “Medical Home” patient care model, which allows patients to have a single point of care and a medical provider to coordinate care through the use of HIT. The legislation also provides incentives for utilizing broadband to deliver HIT in underserved areas and funding of academic curricula to train qualified Health IT professionals.

Madam Speaker, the power of HIT to transform American health care is clear, but without aggressive action by the Congress to promote and adopt HIT, we will not see the benefits of these innovative technologies for years to come. The *Promotion of Health Information Technology Act* will ensure that the federal government fosters the development and implementation of advanced Health IT networks and technologies in our country.