American Recovery and Reinvestment Act of 2009

February 24, 2009

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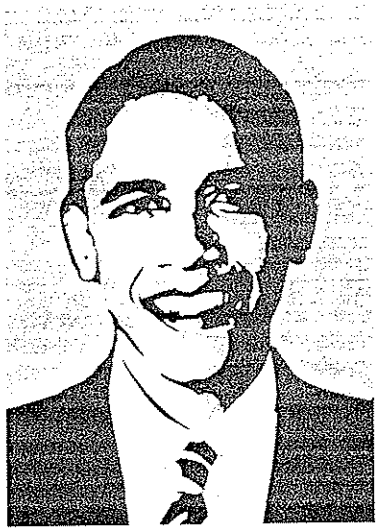
President Obama

*"To improve the quality of our health care while lowering its cost, we will make the immediate investments necessary to ensure that, **within five years, all of America's medical records are computerized.** This will cut waste, eliminate red tape, and reduce the need to repeat expensive medical tests.*

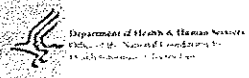


*But it just won't save billions of dollars and thousands of jobs; **it will save lives by reducing the deadly but preventable medical errors that pervade our health care system."***

ONC is Formalized

- Office of the National Coordinator for Health IT (ONC) is codified in statute

- Creates to appointed positions:
  - National Coordinator for Health IT
  - Chief Privacy Officer of ONC



Creates Two Federal Advisory Committees

- HIT Policy Committee
  - Members appointed by Secretary, congressional leaders, and Comptroller General
  - Recommendations on:
    - HIT infrastructure
    - Specific areas of standard development

- HIT Standards Committee
  - Membership representative of various health IT stakeholder groups
  - Recommendations on:
    - Standards, implementation specifications, certification criteria

Standards Development

- By December 31, 2009 Secretary must adopt standards for a nationwide health information infrastructure
- Applicability:
  - Federal agencies must follow standards
  - Private entities not required to follow but:
    - Agencies shall require by contract or agreement the use of applicable standards in new or upgraded systems
    - Standards tied into ability to receive Medicare and Medicaid incentives

Immediate Funding to Strengthen HIT Infrastructure

- Secretary to invest funds through agencies
  - ONC
  - Health Resources and Services Administration (HRSA)
  - Agency for Healthcare Research and Quality (AHRQ)
  - Centers for Medicare and Medicaid Services (CMS)
  - Centers for Disease Control and Prevention (CDC)
  - Indian Health Services (IHS)
- Investments made to support a variety of activities (e.g., architecture, adoption, telemedicine)

HIT Implementation Assistance

- HIT Research Center
  - Technical assistance
  - Develop/Recognize best practices to support and accelerate HIT adoption
- HIT Regional Extension Centers
  - Enhance and promote adoption of HIT
  - Provide assistance/education to providers in a region
  - Must be affiliated with a U.S.-based nonprofit entity
  - Funding:
    - Federal support available for up to 4 years
    - Up to 50% of total with exceptions

State Grants to Promote HIT and HIE

- **Who:** State or Qualified state designated entity
- **What:** Planning grants and/or Implementation grants (must have plan in place)
- **Why:** To facilitate and expand electronic movement & use of health information among organizations using nationally recognized standards
  - Enhance participation in health IT
  - Provide TA for solutions to barriers regarding HIE
  - Assist patients using health IT
  - Promote strategies for medically underserved areas
  - Promote use of EHRs for quality and public health purposes

State Grants to Promote HIT and HIE

- **Plans must:**
  - Be pursued in the public interest
  - Be consistent with ONC strategic plan
  - Contain such elements and descriptions as required by HHS
- **Required:** Match of non-Federal contributions starting in 2011 and increasing

Competitive Grants for Loan Programs

- **Who:** States and Tribes
- **What:** For the establishment of loan programs for providers to cover some EHR costs
- **Requirements of grantee:**
  - Must have a strategic plan
  - Must establish a certified EHR Loan fund
  - Must establish requirements and accountability mechanisms
- **Use of loan fund:**
  - Interest rates must be market based
  - Principal and interest payments returned to loan fund

Competitive Grants for Loan Programs

- **Potential use of funds:**
  - Purchase certified EHR technology
  - Improve EHR utility
  - Train personnel
  - Improve the secure exchange of health information

- **Matching requirement**

- **Effective date:** January 1, 2010

Education Grants

- Grants to develop academic curricula integrating certified EHR technology

- Assistance to institutions of higher education by National Science Foundation

Medicaid Incentives

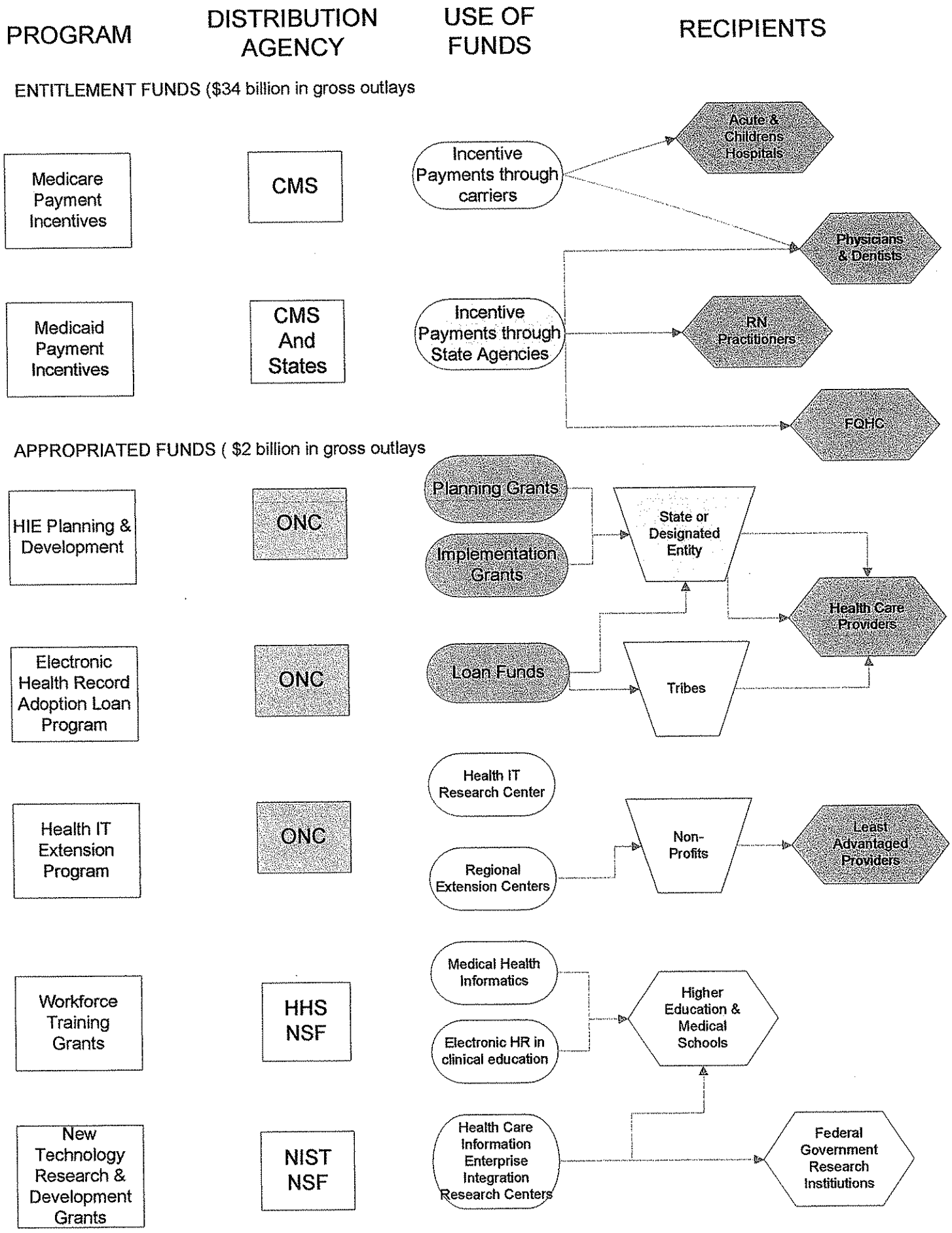
- Provides reimbursement for the purchase and "meaningful use" of EHRs
  - Cost of technology
  - Support services, including maintenance & training
- Incentives for eligible professionals:
  - 2011 first year that providers are eligible
  - Ongoing maintenance for up to 5 years
  - Reimbursement for purchase at different levels depending on provider type
- No double dipping with Medicare reimbursement

Privacy

- HIPAA Modifications
  - Provisions and enforcement applies to business associates
  - Breach notification requirement
  - Changes regarding specific provisions (e.g., accounting, sale of PHI)
- PHR Breach Notification
- Enhanced Enforcement
  - Includes ability for State Attorneys General to enforce
- Education Efforts

Other Health IT Programs

- Indian Health Service - for telehealth services and development and the related infrastructure requirements
- HRSA – for construction, renovation, and equipment, and acquisition of health IT for community health centers
- SSA – for processing disability and retirement workloads, including IT acquisitions
- AHRQ for research assessing the comparative effectiveness of health care treatments and strategies


PROGRAM
DISTRIBUTION AGENCY
USE OF FUNDS
RECIPIENTS
ENTITLEMENT FUNDS ($34 billion in gross outlays
Medicare Payment Incentives
CMS
Incentive Payments through carriers
Acute & Childrens Hospitals
Physicians & Dentists
Medicaid Payment Incentives
CMS And States
Incentive Payments through State Agencies
RN Practitioners
FQHC
APPROPRIATED FUNDS ($2 billion in gross outlays
HIE Planning & Development
ONC
Planning Grants
Implementation Grants
State or Designated Entity
Health Care Providers
Electronic Health Record Adoption Loan Program
ONC
Loan Funds
Tribes
Health IT Extension Program
ONC
Health IT Research Center
Regional Extension Centers
Non-Profits
Least Advantaged Providers
Workforce Training Grants
HHS NSF
Medical Health Informatics
Electronic HR in clinical education
Higher Education & Medical Schools
New Technology Research & Development Grants
NIST NSF
Health Care Information Enterprise Integration Research Centers
Federal Government Research Institiutions

SB 452 - Health Information Technology & Stimulus Funds

Senate Health Care and Veterans Affairs

March 3, 2003

Ree Sailors

American Recovery & Reinvestment Act

- ARRA provides incentives to ambulatory care physicians and hospitals to encourage the adoption of electronic health records.
- Meaningful use must be achieved by 2012 to realize full incentives
- Numerous federal, state and local organizations will be created to assist and statewide planning should begin NOW!

Definition of Meaningful Use

- e-Prescribing
- Healthcare Information Exchange that promotes quality improvement such as care coordination
- Submission of quality measures

Certified EHR Technology

- Meet standards adopted by the National Coordinator (CCHIT)
- EHR must include:demographics, medical history, problem lists, quality indicators
- Clinical decision support and provider order entry
- Exchange clinical information to/from other organizations

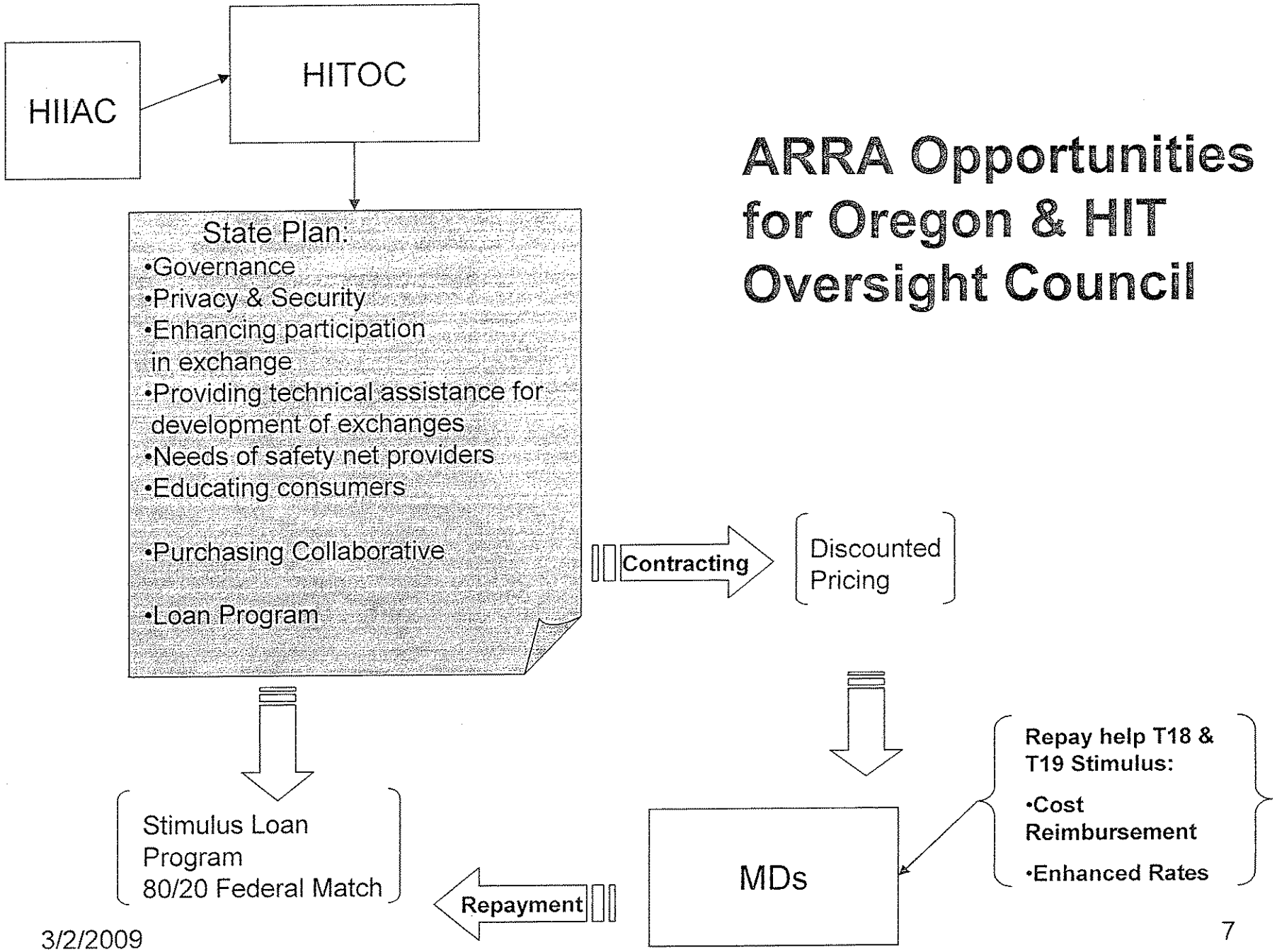
State Grant Opportunities

- Planning Grants & Implementation Grants
- Matching: 90/10, 7/1, 3/1 beginning 2011, 2012, 2013
  - To a State/State designated entity
  - Must have a statewide plan for HIE to get implementation grant(s)
  - Used to conduct activities to:
    - Make a statewide plan
    - facilitate & expand HIE among organizations per standards
    - removing barriers to HIE
    - promoting adoption
    - complementing other federal grants (OCHIN, HRB)
    - serving underserved communities (rural, urban poor, MH)
    - public health uses
    - health record banking
  - Tie into Broadband Opportunities for grants

State Grant Opportunities

- Loan Grants
- 80/20 match
- May receive private funds
- Can be used to help equip providers: purchase of EHR, training staff, secure HIE, upgrades
- Dove tails with Purchasing collaborative in SB 452/HB 2142

ARRA Opportunities for Oregon & HIT Oversight Council



Qualified State Designated Entitiy

- Not-for-profit
- Broad stakeholder representation
- Principal goal to use HIT to improve quality and efficiency through HIE
- Adopt nondiscrimination & conflict of interest policy
- Commitment to open, fair participation by stakeholders

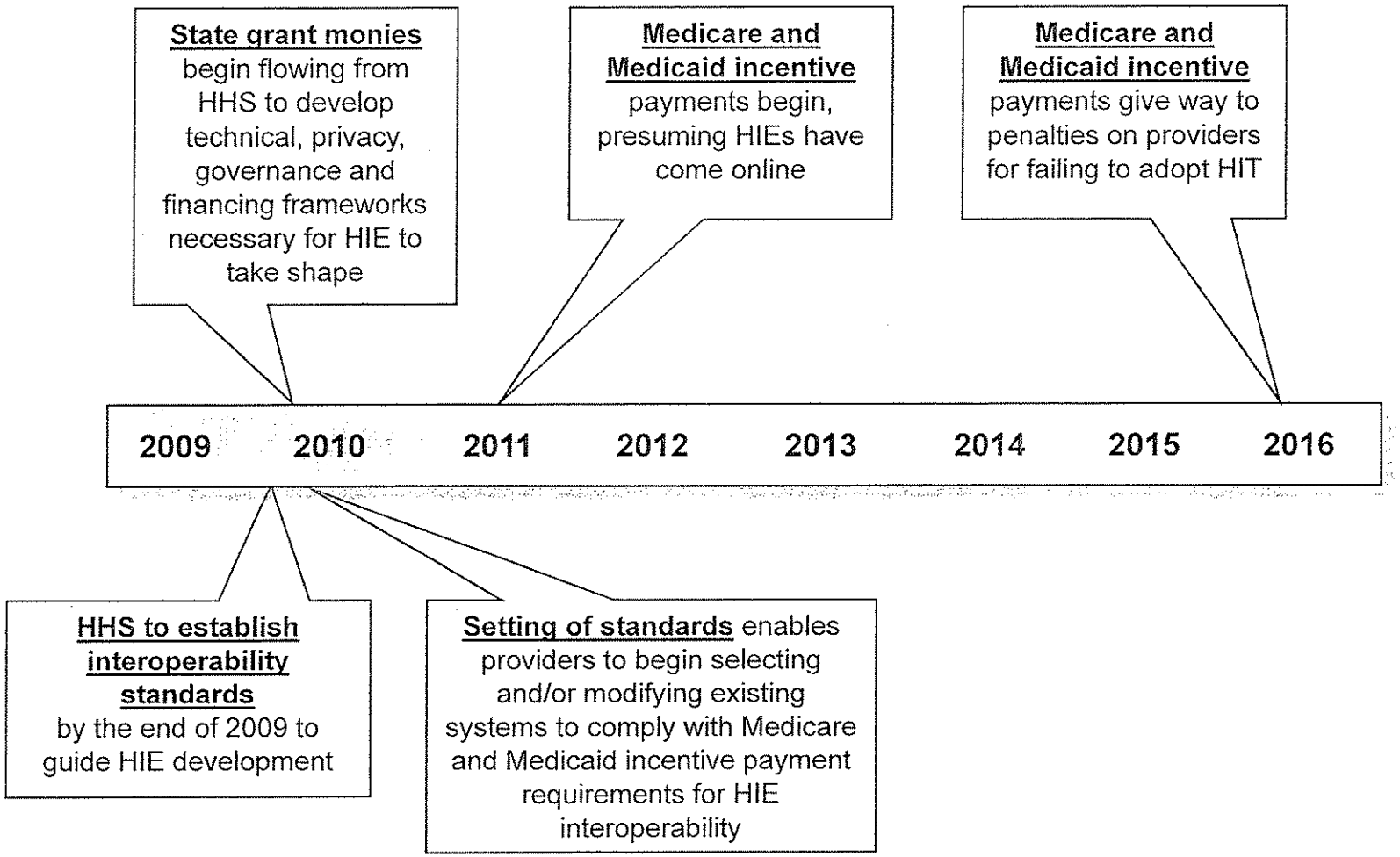
State Entity (cont'd)

- Composition
  - Providers
  - Health plans
  - Patient or consumer representatives
  - HIT vendors
  - Purchasers
  - Public Health
  - Academic and research
  - Other users

State Plan

- Plan how HIE will be developed in Oregon in order to plug into National Health Information Network
- Coordinate with Tribes (separate funding available)
- Coordinate with Federally Qualified Health Centers.
- Telehealth, Broadband & HIT

Academic Opportunities

- Integrating HIT into clinical training
  - OHSU
- Training IT professionals in Health Care
  - OIT

neline to Interoperability: Critical Need for HIE Infrastructure