
HOUSE CONCURRENT RESOLUTION

URGING THE UNITED STATES CONGRESS TO AMEND FEDERAL LAW TO
PROVIDE FLEXIBILITY IN THE ELECTRONIC RECORD REQUIREMENTS
OF THE HEALTH INFORMATION TECHNOLOGY FOR ECONOMIC AND
CLINICAL HEALTH ACT.

1 WHEREAS, the Health Information Technology for Economic and
2 Clinical Health (HITECH) Act was enacted as part of the American
3 Recovery and Reinvestment Act of 2009 to accelerate the adoption
4 and use of health information technologies; and
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6 WHEREAS, the HITECH Act authorizes the Centers for Medicare
7 & Medicaid Services to provide financial incentives to
8 hospitals, physicians, and other eligible professionals to adopt
9 and meaningfully use certified electronic health record (EHR)
10 systems to improve patient care; and
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12 WHEREAS, the federal law also provides that hospitals,
13 physicians, and other eligible professionals who fail to
14 implement Emergency Medical Record (EMR) technology or
15 demonstrate meaningful use certified EHR technology by 2015 will
16 experience a reduction in Medicare/Medicaid fee reimbursements,
17 starting with a one percent reduction and increasing to a three
18 percent reduction by 2017 and beyond; and
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20 WHEREAS, the transition to an EMR or EHR system engenders
21 many challenges for healthcare professionals, as the process
22 involves conformance to strict technical standards and
23 certification requirements, and privacy and security issues
24 continue to be of concern; and
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26 WHEREAS, implementing an EMR or EHR system comes with
27 immense costs associated with investment in expensive hardware
28 and software, and conversion of a multitude of records; and



1 WHEREAS, small rural hospitals, sole practitioners, and
2 small groups of practitioners in particular are experiencing the
3 financial and operational challenges of meeting the regulatory
4 requirements of the information technology mandate, as
5 demonstrated by the current trend toward hospital consolidations
6 and partnerships as hospitals and physicians must balance
7 providing quality healthcare services with federally-mandated
8 technology and implementation of an EHR system; and
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10 WHEREAS, physicians and other eligible professionals must
11 also devote significant time to train themselves and their staff
12 in the use of an EHR system, and dedicate an inordinate amount
13 of time maintaining the system while conducting their medical
14 practices; and
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16 WHEREAS, as a result of significant reductions in
17 reimbursement rates, there has been a decline in the number of
18 physicians accepting Medicare and Medicaid patients, thus making
19 it increasingly difficult for these individuals to access
20 medical care; and
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22 WHEREAS, hospitals, physicians, and other healthcare
23 providers can ill-afford penalties to Medicare and Medicaid
24 reimbursements for not complying with the HITECH requirements,
25 which could lead to further reductions in the availability of
26 health care services for Medicare and Medicaid patients; and
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28 WHEREAS, while the nationwide system of EMR and EHR
29 technology holds significant promise in providing a high
30 quality, coordinated system of care through a secure and
31 confidential electronic exchange of health information, it takes
32 substantial time and a substantial dedication of resources to
33 transition from paper to an EHR system, thereby placing a toll
34 on medical professionals attempting to comply with the federal
35 law according to stringent deadlines; and
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37 WHEREAS, at a time when the nation is facing a projected
38 shortage of 20,400 primary care physicians according to the
39 United States Department of Health and Human Services and a
40 shortage of healthcare providers who will accept Medicare and
41 Medicaid patients, providing flexibility to the electronic
42 record requirements of the HITECH Act would lessen the number of



H.C.R. NO. 24

1 primary care practitioners and other healthcare professionals
 2 who have no reasonable recourse other than closing their
 3 practices or retiring early, due to the burdensome requirements
 4 of the HITECH Act; now, therefore,

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 6 BE IT RESOLVED by the House of Representatives of the
 7 Twenty-eighth Legislature of the State of Hawaii, Regular
 8 Session of 2016, the Senate concurring, that the United States
 9 Congress is urged to amend federal law to provide flexibility to
 10 hospitals, physicians, and other eligible professionals in
 11 meeting the electronic record requirements of the HITECH Act;
 12 and

13
 14 BE IT FURTHER RESOLVED that certified copies of this
 15 Concurrent Resolution be transmitted to the President of the
 16 United States, President of the United States Senate, Speaker of
 17 the United States House of Representatives, members of Hawaii's
 18 Congressional Delegation, President of the American Medical
 19 Association, and President of the Hawaii Medical Association.

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OFFERED BY:

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