
HOUSE 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

5
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

11
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

19
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

25
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

29
30 WHEREAS, small rural hospitals, sole practitioners, and
31 small groups of practitioners in particular are experiencing the



1 financial and operational challenges of meeting the regulatory
2 requirements of the information technology mandate, as
3 demonstrated by the current trend toward hospital consolidations
4 and partnerships as hospitals and physicians must balance
5 providing quality healthcare services with federally-mandated
6 technology and implementation of an EHR system; and
7

8 WHEREAS, physicians and other eligible professionals must
9 also devote significant time to train themselves and their staff
10 in the use of an EHR system, and dedicate an inordinate amount
11 of time maintaining the system while conducting their medical
12 practices; and
13

14 WHEREAS, as a result of significant reductions in
15 reimbursement rates, there has been a decline in the number of
16 physicians accepting Medicare and Medicaid patients, thus making
17 it increasingly difficult for these individuals to access
18 medical care; and
19

20 WHEREAS, hospitals, physicians, and other healthcare
21 providers can ill-afford penalties to Medicare and Medicaid
22 reimbursements for not complying with the HITECH requirements,
23 which could lead to further reductions in the availability of
24 health care services for Medicare and Medicaid patients; and
25

26 WHEREAS, while the nationwide system of EMR and EHR
27 technology holds significant promise in providing a high
28 quality, coordinated system of care through a secure and
29 confidential electronic exchange of health information, it takes
30 substantial time and a substantial dedication of resources to
31 transition from paper to an EHR system, thereby placing a toll
32 on medical professionals attempting to comply with the federal
33 law according to stringent deadlines; and
34

35 WHEREAS, at a time when the nation is facing a projected
36 shortage of 20,400 primary care physicians according to the
37 United States Department of Health and Human Services and a
38 shortage of healthcare providers who will accept Medicare and
39 Medicaid patients, providing flexibility to the electronic
40 record requirements of the HITECH Act would lessen the number of
41 primary care practitioners and other healthcare professionals



H.R. NO. 6

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

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

12 BE IT FURTHER RESOLVED that certified copies of this
 13 Resolution be transmitted to the President of the United States,
 14 President of the United States Senate, Speaker of the United
 15 States House of Representatives, members of Hawaii's
 16 Congressional Delegation, President of the American Medical
 17 Association, and President of the Hawaii Medical Association.
 18
 19
 20

OFFERED BY:

Ray M. Larkin

Tom Barr

Michael
John M. Mays
MAA

Cindy Evans

[Signature]
John A. Smith

JAN 26 2016