

Democratic Substitute

The Wired for Health Care Quality Act

Summary

June 15, 2006

The Democratic Substitute, modeled after S. 1418 that unanimously passed the Senate last November, ensures that the American healthcare system can quickly transition to the information age. It ensures that the necessary standards for transmission of health information, developed by consensus, are quickly in place. It guarantees providers have necessary funding to purchase information technology (IT), rather than relying on fraud loopholes to encourage technology use. The Democratic Substitute also ensures the Federal Government leads the way in the adoption and dissemination of technology by having Federal healthcare programs abide by the consensus information technology standards. Finally, the Democratic Substitute provides strong protections for patient privacy, which were not included in the Senate bill.

The details of the legislation are outlined below:

Establishes an Office of the National Coordinator for Information Technology (from S. 1418)

- Authorizes in statute the National Coordinator for Health IT;
- Requires the development of standards on interoperability and other technical measures for health IT systems to ensure that no matter what technology a provider adopts, it can communicate with other provider systems;
- Establishes a public-private consultation to develop those standards;
- Ensures that strong protections for privacy and security are a central element of these standards;
- Requires all Federal IT purchases to conform to these consensus standards;
- Establishes a voluntary certification program so that providers can quickly determine whether particular IT systems meet the applicable technical standards.

Provides Financial Assistance to Healthcare Providers (from S. 1418)

- Creates grants for providers to enhance their use of health IT;
- Provides financial assistance to establish regional health IT networks;
- Creates an innovative Federal-State public-private partnership to modernize the healthcare system, by allowing States to fund low interest loans to help healthcare professionals in financial need acquire healthcare IT systems to improve the quality and efficiency of health care.

Promotes Effective Use of Health Information Technology (from S. 1418)

- Establishes a Best Practices Center where IT users can learn from the previous experience of others who have established regional health IT networks;
- Creates a Help Line at the Department of Health and Human Services to assist providers with technical questions on implementing IT systems and complying with technical requirements;
- Funds novel training programs to help train health professionals at the start of their careers in better use of IT;
- Develops risk-adjusted measures of healthcare quality through extensive consultation with health professionals, and provides for reporting of the degree to which healthcare providers receiving funds achieve those measures;
- Studies licensure requirements of physicians to see if these requirements impose barriers to the better use of health IT and telemedicine.

Protects Patient Privacy in an Electronic Age (new language)

- Ensures that privacy and security concerns are appropriately addressed in any health information technology system or investment;
- Provides additional protections beyond current law by: (1) requiring patient consent before personal health information can be shared electronically and allowing patients to control access to their sensitive health information; (2) requiring anyone who possesses the personal health information to comply with privacy protections; (3) allowing individuals to enforce protections and get redress when there is a privacy breach; (4) requiring notification to a person whose personal information has been violated; (5) requiring reasonable safeguards, such as encryption of data, to prevent unauthorized access to personal information; and (6) preserving more protective State laws.