

**HITECH Act
(H.R. 1)
Summary of Health Information Technology (HIT) Provisions
Enacted 2/17/09**

by Heather Meade, Groom Law Group

Section	Topic	H.R. 1
3001	Office of National Coordinator for Health IT	<ul style="list-style-type: none"> • Creates HHS Office of National Coordinator for Health IT. • HIT office is responsible for reviewing standards, coordinating policy, setting strategic plan, and evaluation. • Creates an HIT Policy and an HIT Standards Committee comprised of providers, consumers, health plans, vendors, and agencies.
3006	Voluntary Application for Private Entities	<ul style="list-style-type: none"> • Except as provided in section 4112 of HITECH Act (see below), any standards adopted will be voluntary with respect to private entities. Act shall not be construed to require private entities that contract with the federal government to apply the standards with respect to activities not related to the contract.
3009	Relation to HIPAA	<ul style="list-style-type: none"> • No effect on HIPAA privacy and security laws.
4111/ 13111	Coordination of Standards with Federal Activities	<ul style="list-style-type: none"> • Government agencies utilizing Health IT shall utilize specifications adopted by Office of National Coordinator.
4112/ 13112	Application to Private Entities	<ul style="list-style-type: none"> • Government agencies promoting health IT shall require contracts with providers, health plans, and insurers to utilize, where available, the specifications adopted by Office of National Coordinator.

Section	Topic	H.R. 1
4113/ 13113	Study and Reports	<ul style="list-style-type: none"> HHS shall submit a report to Congress within 2 years of enactment, and annually thereafter, regarding adoption of a nationwide system and aging services technology.
4202 13202	Testing of Health IT Research and Development Programs	<ul style="list-style-type: none"> NIST shall create pilot programs to test newly established health IT standards. NIST shall establish a program to assist higher education institutions in developing centers for health care information enterprise integration. NIST may create a national high performance computing program to coordinate activities related to computing, software, and data security. Provides grants to Universities.
3012	Incentives for Use of Health IT Health IT Implementation Assistance	<ul style="list-style-type: none"> Office of National Coordinator shall create a program to help providers adopt, implement, and use HIT technology. Creates technology research center and region centers to provide technical assistance.
3013	State Grants to Promote Health IT Technology	<ul style="list-style-type: none"> Creates program to provide planning and implementation grants to states. Requires state matching funds. Requires states or state designated entities to consult with health care providers, health plans, consumer organizations, vendors, and universities.
3014	Competitive Grants to States to Facilitate Loan Programs	Provides grants for states and tribes that develop loan programs to expand adoption of EHR technology.

Section	Topic	H.R. 1
3015	Clinical Education Demonstration Program	Provides grants to develop academic curricula integrating EHR technology.
3016	Information Technology Professionals	Provides grants to higher education institutions to create programs for health informatics.
4101	Medicare- Incentives for Eligible Professionals	Provides incentives to eligible professionals who are non-hospital-based meaningful EHR users.
4102	Incentives for Hospitals	Provides incentives for hospitals adopting EHR.

Contact: Heather Meade or Christy Tinnes

We will provide updates on further developments. In the meantime, if you have any questions, please contact your regular Groom attorney or any of the Health and Welfare Practice Group attorneys listed below:

Jon W. Breyfogle	jwb@groom.com	(202) 861-6641
------------------	---------------	----------------

Christine L. Keller	clk@groom.com	(202) 861-9371
Heather E. Meade	hem@groom.com	(202) 861-0179
Christy A. Tinnes	cat@groom.com	(202) 861-6603