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CMS Issues Final Regulations for Electronic Health Records

On July 13, 2010, the Centers for Medicare and Medicaid Services (CMS) issued the final rule for “meaningful use” of electronic health records (EHR).

The Health Information Technology for Economic and Clinical Health (HITECH) Act was passed as part of the American Recovery and Reinvestment Act, which was signed into law last year. HITECH is a significant investment to transition the health care industry to EHRs. The law included incentives for providers to adopt EHRs through increased reimbursement of Medicare and Medicaid programs through CMS. To receive the incentive, providers must achieve “meaningful use” of EHRs.

The Department of Health and Human Services developed the definition of meaningful use that will set forth the criteria that must be met. After releasing a draft rule at the end of 2009, the final rule was released this week. CMS received more than 2,000 comments in

response to the proposed rule. Some changes were incorporated to address concerns, such as making some of the requirements more flexible.

HITECH also established Regional Extension Centers to help providers adopt EHRs and achieve meaningful use. The National Indian Health Board serves as an extension center for Tribes and Tribal organizations, and will work in concert with other centers to support providers. The NIHB is looking to fill positions to support this effort. If interested, visit www.nihb.org for more information.

In response to the release of the rule, the House Ways and Means Committee has scheduled a hearing for Tuesday, July 20 at 1:00 p.m. to review the final rule and hear from the Administration and stakeholders.

For more information regarding the final rule, visit <http://www.nihb.org/> or http://www.cms.gov/ehrincentiveprograms/01_overview.asp?



IHS Holds Listening Session and Best Practices Meeting for Contract Health Services

The IHS convened a listening session last week in Crystal City, Virginia to hear from Tribal leaders regarding the Contract Health Services program. Dr. Yvette Roubideaux, MD, MPH, the Director and Mr. Randy Grinnell, Deputy Director, led the two-day meeting.

The first day was a listening session and provided an overview of the program. Tribal leaders discussed many issues that could be improved with the program, as well as the fundamental need for more funding.

The IHS conveyed that the message has been made “loud and clear” there is a dramatic need for more funding, but also urged Tribal leaders to consider how to improve the business of the CHS program.

The second day of the meeting consisted of learning about “best practices” from throughout the country on how certain Tribes operate their program and how to improve the operation of CHS.

Also in attendance were Tribal leaders who sit on a committee that has been charged with reviewing the CHS program. The committee will submit a report on their findings.

Appropriations Bills Moving

The House and Senate Appropriations Committees have been working to move

the appropriations bills prior to the August recess.

While the full House committee has yet to consider any of the bills, seven subcommittees have passed bills. The Interior-Environment and Related Agencies Subcommittee, which has jurisdiction over the Indian Health Service budget, has yet to meet. The subcommittee is anticipating a mark-up of the Interior-Environment bill prior to its August recess, but no dates have been set.

The full Senate committee reported three bills this week, the Agriculture, Military Construction, and Veterans Administration bills. The Senate Appropriations Committee approved to cap spending at \$14 billion below the President’s budget request. While the majority of the cuts will come from defense and foreign aid spending, \$3.3 billion will come from all other domestic appropriations. The House committee approved spending \$7 billion below the President’s request.

For more information regarding IHS appropriations, visit www.nihb.org or sign up for legislative alerts at <http://www.nihb.org/communications/communications.php>.

Child Nutrition Bill Passed by House Committee

On Thursday, July 15, 2010, the House Committee on Education and Labor passed H.R. 5504, Improving Nutrition for America’s Children Act. The bill sets forth policies for the school breakfast and lunch programs, as well as after



school and summer lunch programs, along with several other programs. In total, the bill provides an additional \$8 billion investment to the programs.

The legislation aims to provide increased access to nutritious food for children, and decrease the level of obesity among Americas children. The legislation included tribal eligibility for a farm-to-school food program, designed to promote local foods for schools while increasing market access for local agriculture.

During consideration of the bill in committee, Representative Dale Kildee (MI) offered an amendment that improved the bill to make a provision more accessible for Tribal children. The bill provides categorical eligibility for the programs for foster children. However, Tribal foster children would not have been eligible for the categorical eligibility if passed as drafted. The committee strongly supported the amendment, passing it by “voice vote.”

The overall bill passed overwhelmingly by a vote of 32-13. The Senate Agriculture Committee has also passed its related version. The next step is for the two full chambers to consider the legislation.

Special Diabetes Program for Indians Legislative Update

The National Indian Health Board continues its efforts to reauthorize the Special Diabetes Program for Indians (SDPI). The bill has broad support in both chambers of Congress. The Senate version, S.3058 introduced by Senator

Byron Dorgan (ND) and Senator Susain Collins (ME) currently has 60 cosponsors. The House version, H.R. 3668 introduced by Representative Diana Degette (CO) currently has 283 cosponsors.

The SDPI expires at the end of 2011. However, because of the need to plan for research and prevention programs, reauthorization is needed this year. The reauthorization of SDPI is a top priority for the National Indian Health Board.

The National Indian Health Board has a number of resources available for Tribal leaders and Tribal members to advocate for the passage of SDPI. For background on SDPI, storybooks, success stories, or letters to congressional members, visit www.nihb.org.

President Obama Makes Recess Appointment to CMS

During the Independence Day Congressional Recess, President Obama appointed Dr. Richard Berwick to lead the Centers for Medicare and Medicaid Services (CMS) through a process known as a “recess appointment.” This allows Dr. Berwick to by-step confirmation by the Senate and serve through the next Congress. The CMS had been without a permanent administrator since 2006.

The White House cited the importance of CMS in implementing the Patient Protection and Affordable Care Act as the reason to appoint Dr. Berwick.



Next OMB Director Named

Peter Orzag has led the Office of Management and Budget (OMB) since the beginning of the Obama Administration. Mr. Orzag announced he will retire in the coming months and the White House has been looking to replace the outgoing Director. This week, President Obama named Jacob Lew to succeed Orzag. Mr. Lew previously held the same position under the Clinton Administration.

The OMB plays a critical role in budget decisions of the Federal government. With an increased focus on reducing the deficit and debt, OMB has called for a five percent cut to departmental budgets for Fiscal Year 2012. It is not yet known what affect this would impact the Indian Health Service. The Administration called for a budget freeze in Fiscal Year 2011, but IHS received an increase.

27th Annual Consumer Conference Registration Now Open

The National Indian Health Board is hosting its 27th Annual Consumer

Conference (ACC) September 20-23 in Sioux Falls, South Dakota. The theme for this year's conference is "Tribal-State Relations and American Indian/Alaska Native Health Care."

The ACC draws roughly 900 attendees, including Tribal leaders, Tribal health professionals, consumers and various Federal officials.

Registration for the conference is now open. Information about the conference including sponsorship opportunities, exhibitors information, and lodging is available. NIHB also has a call for proposals, with a deadline of **August 23, 2010 at 5:00 p.m. EDT.**

For more information about the conference visit

http://www.nihb.org/communications/conferences_events.php.

To register for the conference visit:

<https://secure.events-registration.com/nihbacc2010/>

For questions regarding the ACC, contact Krystin Poitra, Events Coordinator, at kpoitra@nihb.org.

