



National Business
Coalition on Health

July 1, 2008

The Honorable John Dingell, Chairman
Committee on Energy and Commerce
United States House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Dingell,

On behalf of the sixty coalition members and over 10,000 employer members of the National Business Coalition on Health (NBCH), I want to thank you for the Energy and Commerce Committee's ongoing leadership in strengthening our nation's health care information technology infrastructure. Most recently, we are very pleased with provisions in the Protecting Records, Optimizing Treatment, and Easing Communication Through Healthcare Technology Act of 2008 -PRO (TECH)T Act - ([H.R. 6357](#)), which are intended to improve the quality of health care services, as well as reduce medical errors and costs by encouraging the adoption of health information technology.

NBCH and its member employer coalitions have a long history of value-based purchasing of health care and working as an organization, namely through the eValue8 health plan performance evaluation instrument, to encourage member coalitions, employers and providers to collaborate at the local, regional, and national level to improvement in the quality, safety, and efficiency of health care through the interoperability of standardized electronic information technology.

NBCH believes that successfully transforming our nation's health care information technology capability requires strong national leadership, infrastructure development, and financial incentives along with alignment of national quality-based standards and capacity building of effective grassroots-level implementation programs.

In addition to our work as an organization through eValue8, many of coalition members are participating in their communities in a variety of health information technology improvement projects such as the U.S. Department of Health and Human Services' Community Value Exchanges (CVEs) and the new Medicare electronic medical record demonstration project, as well as the Robert Wood Johnson Foundation's Aligning Forces for Quality (AF4Q) program. In that regard, one issue of concern in H.R. 6357 is **Subtitle B, Section 312- Restrictions on certain disclosures of health information; accounting of certain protected health information disclosures**, which essentially would make it illegal for

those entities using an electronic health record to use the information for the purposes of health care operations without patient consent. Much of the work our coalitions currently are trying to accomplish around quality improvement using electronic medical records and registries would fall under the bill's health care operations definition. NBCH fully supports efforts to ensure greater application of information technology in the health system, but proposals requiring prior consent before communicating information and accounting for disclosures would seriously stifle our members' local health care quality improvement efforts.

NBCH looks forward to working with and supporting the Energy and Commerce Committee's work to truly reform and strengthen our nation's health information technology infrastructure. Again, NBCH is very appreciative of the Committee's leadership and strong support of this effort.

Sincerely,

A handwritten signature in cursive script that reads "Andrew Wilber". The signature is written in black ink on a white background.

President and Chief Executive Officer
National Business Coalition on Health