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APA: Electronic Health Care Records Rule Could Impact Small Practice Specialists

ARLINGTON, Va. (March 19, 2010) – The American Psychiatric Association (APA) submitted comments this week to the Centers for Medicare and Medicaid Services (CMS) for the proposed rule on the electronic health record incentive program. The APA supports a national push towards wide-scale electronic health record (EHR) adoption, but has a number of concerns that the rule defining “meaningful use” is overly prescriptive and could negatively impact participation of physicians in the incentive program, particularly psychiatrists.

Many of the comments the APA submitted suggested that the rule is not feasible for physician specialty practices like psychiatry, for which participation in this program is a critical component in coordinated patient care. APA believes that it is essential, especially in the initial stages, for the definition of meaningful use to be as flexible as possible to ensure adoption of EHR across a broad range of specialties and practice settings.

“The burdens imposed by the requirements in this proposed rule are simply untenable for practices of [small] size, said APA CEO and Medical Director James H. Scully Jr., M.D., in the letter that included the APA comments. “APA believes that CMS and the Office of the National Coordinator (ONC) should reevaluate this rule in light of the realities of small practices and revise the measures to fit the goals of the legislation.”

A few of the requirements in the rule that are of particular concern to psychiatrists because of the size of their practice and the nature of their specialty include:

- Many of the measures proposed here concern the clinical practice of medicine and are not appropriate for use in the criteria for meaningful use of an electronic health record.
- The requirement that eligible professionals (EP) must meet threshold levels in all 25 measures in order to qualify for the incentive. *The APA recommended that CMS and ONC use a more flexible approach and an alternative to thresholds which is less burdensome on physicians.*
- The requirement that at least 80 percent of all orders (e.g., medications, consultations with other providers, laboratory services, imaging studies, and other auxiliary services) need to be recorded by computerized physician order entry (CPOE). *The APA does not believe it is practical to require such a high percentage of orders through CPOE at the early stages when all of the systems required may not be ready to handle a high volume of entries. Additionally, systems which include CPOE are very costly and it will require significant investments of a physician’s time to conduct all of the order entry—another indication that the requirements have not been designed for specialty physicians with small practices.*
- The requirement that at least 75 percent of all permissible prescriptions written by the EP are transmitted electronically using certified electronic health record technology. *The APA has a few concerns about this but, notably, one key issue is because of the stigma surrounding mental illness, whether the patient prefers a written prescription for privacy or practical reasons. Also, there are cases where it is not possible to prescribe*

electronically (e.g. for a controlled substance) or where the physician may not know if the pharmacy has the medication in stock.

Also, APA expressed particular concerns about the importance of privacy within the electronic system to ensure that sensitive medical issues can receive an extra layer of protection. APA urged CMS and ONC to begin looking at ways to incorporate granular privacy controls, which allow more protection for the most sensitive information, into meaningful use and electronic health records sooner due to the importance of the feature and the difficulties in retrofitting such software later.

To read the entire comment from the APA on the meaningful use requirements, visit the [APA Web site](#).

The American Psychiatric Association is a national medical specialty society whose physician members specialize in the diagnosis, treatment, prevention and research of mental illnesses, including substance use disorders. Visit the APA at www.psych.org and www.HealthyMinds.org.

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