



May 21, 2010

The Honorable (NAME)
United States House of Representatives
(Address)
Washington, D.C. 20515

Representative :

On behalf of the California Primary Care Association (CPCA), the California Association of School-Based Health Centers, Planned Parenthood Affiliates of California, and the California Family Health Council I would like to ask you to vote for passage of **H.R. 5040, the Health Information Technology Extension for Behavioral Health Services Act of 2010**, introduced April 15 by U.S. Rep. Patrick Kennedy (D-RI).

All four of our organizations are membership associations of safety net providers, all of which are firmly committed to seeing primary and behavioral health fully integrated. We were all excited to see the commitment by the federal government to moving safety net providers onto electronic medical records, but were disappointed at the limited number of providers eligible for the meaningful use incentives. H.R. 5040 seeks to rectify the oversight and recognize all the members of a patient's health home.

The proposed amendment clarifies the definition of "health care provider" to include behavioral and mental health professionals, substance abuse professionals, psychiatric hospitals, behavioral and mental health clinics and substance use treatment facilities. Our organizations are fully supportive of the expansion to these providers; however, we are not supportive of all portions of the amendment.

We are supportive of the following aspects of the amendment and request that you be as well:

- Expands the types of providers that are eligible for the Medicare incentives for the "meaningful use" of EHRs to include licensed psychologists and clinical social workers.
- Expands Medicaid Provider meaningful use incentive funding eligibility to include behavioral and mental health professionals, and substance abuse treatment professionals.

Expanding the program will ensure that safety net patients have comprehensive care that is not only integrated on the ground, but through their electronic health record as well. We would like to ask you to also suggest that marriage and family therapists (MFTs) be included as eligible for the Medicare/Medicaid EHR incentives. We do not believe in the current iteration of the amendment that MFTs would be included, but as they are critical to our delivery system we would be remiss to not add

them. Without the expansion to these additional providers, there will surely be barriers to fully integrated care.

We are not supportive, however, of these portions of the amendment and ask that you request these be removed before voting yes on the H.R. 5040:

- Expands Medicare Hospital meaningful use incentive funding eligibility to include inpatient psychiatric hospitals;
- Expands Medicaid Hospital meaningful use incentive funding eligibility to include mental health treatment facilities, psychiatric hospitals and substance abuse treatment facilities;

These last two aspects of the amendment are not in line with the original intent of the HITECH Act, which was focused primarily on primary care, with linkages to specialty care. Expanding the scope of the incentives to inpatient psychiatric hospitals and to the variety of treatment facilities is too inclusive of an interpretation. Doing so may open the door to every provider in the country being eligible which would ultimately derail the intention to ensure that small/solo practice physicians, federally qualified health centers and safety net clinics, and critical access hospitals were provided incentives to adopt and meaningful use electronic health records. Further, there are not enough resources in the HITECH Act to make these additional providers eligible. The original funding was targeted at a limited group, and allowing in more providers will decrease the funding available for primary care.

Please support H.R. 5040, the Behavioral Health HITECH amendment, with the clarifications we have requested.

If you have any questions please contact Andie Martinez, Associate Director of Policy at the California Primary Care Association, at (916) 440-8170 or amartinez@cpc.org.

Sincerely,

Carmela Castellano-Garcia, President & CEO, California Primary Care Association

Serena Clayton, Executive Director, California Association of School Based Health Centers

Kathy Kneer, President and CEO, Planned Parenthood Affiliates of California

Diane Chamberlain, COO, California Family Health Council, Inc.