

# Health Information Compliance Alert

## HEALTH INFORMATION NEWS

### MRI SURVEYS FOR EMRs

A Medical Records Institute survey of 436 clinicians and managers showed that 75 percent of health care providers are motivated by possible quality improvements to adopt electronic medical records. However, more than half of the respondents called the lack of funding or resources a major deterrent to EMR adoption.

According to the "Sixth Annual Survey of Electronic Health Record Trends And Usage For 2004," more than one-third of those polled said the expense of EMR systems is a barrier to adoption and the same amount claimed to lack the support of their medical staffs. Finding a system that wasn't "fragmented" between suppliers and operating systems put off another 34 percent.

The survey, conducted between April 30 and June 11, initially included 808 respondents. To "increase relevancy and reduce bias," the MRI excluded vendor, consultant and payer responses. Access the complete survey at [www.medrecinst.com/pages/latestNews.asp?id=115](http://www.medrecinst.com/pages/latestNews.asp?id=115).

### EXPERTS WANT POWER IN BRAILER'S HANDS

[Health information technology experts told a House subcommittee July 14 that health IT coordinator \*\*David Brailer\*\* must have the power to execute IT standards, Federal Computer Week reports.](#)

["As health IT initiatives are pursued, it will be essential to have continued leadership, clear direction, measurable goals and mechanisms to monitor progress," \*\*David Powner\*\*, the Government Accountability Office's director of IT issues, explained before the House Government Reform Committee's Technology, Information Policy, Intergovernmental Relations and the Census subcommittee.](#)

[Part of the Consolidated Health Informatics \(CHI\) electronic government initiative, the subcommittee's goal is to develop vocabulary and messaging standards for exchanging health information at the federal level.](#)

[Advising subcommittee chairperson Rep. \*\*Adam Putnam\*\* \(R-FL\) that Brailer's position should be permanent, former House speaker and founder of the Center of Health Transformation \*\*Newt Gingrich\*\* said "creating the office without the power doesn't get the job done."](#)

### STATE AGENCIES SUE TX ATTORNEY GENERAL

[The Texas Department of Mental Health and Mental Retardation has filed four lawsuits and the Texas Department of Human Services has filed two lawsuits against Texas Attorney General \*\*Greg Abbott\*\*, the Associated Press reports.](#)

[The agencies claim Abbott's demand that certain private patient health information be made public is in violation of HIPAA. The lawsuits stem from Abbott's February ruling that Texas' open records law preempts the federal regulation.](#)

[Abbott's office is still embroiled in a March lawsuit spurred by the attorney general's demand that the Department of Mental Health and Mental Retardation make public a breakdown of sexual assault cases by hospital. The department did provide statewide statistics, but refused to add further information.](#)

["What we would not provide, and what we feel is confidential based on HIPAA, is the actual name of the facility. While \[patients\] are there, this is their address, and HIPAA says we can't release their address," clarified \*\*Frances Kendall\*\*, the](#)

[agency's open records coordinator.](#)

[The March lawsuit has halted any ruling on the current request for information regarding the death of Austin State Hospital patient \*\*Domingo Galvez\*\*, according to the AP.](#)