

**Report of the Joint Electronic Health Information Study Committee**

**Act #343 of 2010**

February 2011

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Act 343 of 2010 established the Joint Electronic Health Information Study Committee, to study factors related to health information technology (health IT) in South Carolina, and promote steps to expand its use, specifically through the adoption of electronic health records.

Since the introduction of H.3170 (later Act 343), Congress passed the American Recovery and Reinvestment Act of 2009 (ARRA), which through its HITECH law, largely addressed the issues assigned to the Joint Electronic Health Information Study Committee. Specifically, the HITECH Act's incentive payment program is already providing funds to encourage South Carolina Medicare and Medicaid health providers to adopt and implement electronic health records (EHRs.) The State Medicaid agency is managing the disbursement of these incentive payments, which are fully funded through ARRA. In addition, providers can utilize new ARRA-funded resources to guide them through the purchase and utilization of EHR technology, through the state's regional extension centers. Finally, the data in EHRs are being "connected" among providers through the state's health information exchange, called SCHIEx. All of these developments have been developed or enhanced by the ARRA legislation.

Still, the Joint Electronic Health Information Study Committee met December 16, 2010. The Committee met to learn more about the new health IT initiatives, and to ensure coordination and legislative support in the developing health IT environment. As the state's response to ARRA's HITECH Act proves, much of South Carolina's health care community is ready to adopt electronic personal health records and other technology designed to improve care delivery, eliminate duplication, and promote healthier outcomes. To support these providers' efforts, to understand and comply with increased federal mandates related to health IT, and to ensure coordination going forward, the Committee felt obligated to meet.

At the December meeting, DHHS Director Emma Forkner briefed members on the state's progress related to HITECH, describing how stakeholders' cooperation has made South Carolina a leader in establishing the EHR incentive program as prescribed in ARRA. In addition, Director Forkner led a discussion on the state's future funding needs, as South Carolina complies with other federal mandates updating and streamlining health IT. DHHS' future budget requests will include required state funding for such efforts. Most of these mandated health IT initiatives will be matched at a 90-10 match rate.

During discussion at the December meeting, Committee members decided that the most pressing issue related to health IT is education – educating the state's health care provider community about the electronic health record program and related incentives. To that end, the following page outlines the program, and how providers can participate.

## South Carolina's Medicaid Electronic Health Record Incentive Program

In order to participate in the South Carolina Medicaid EHR Incentive Program, a provider must be of an eligible type, be actively enrolled as a state Medicaid provider, and have a National Provider Identifier (NPI). For purposes of the Medicaid EHR Incentive Program, Eligible Professionals (EPs) include: Physician; Dentist; Nurse Practitioner; Certified Nurse-Midwife; or Physician Assistant practicing in an FQHC or RHC that is led by a Physician Assistant. Medicaid Eligible Hospitals (EHs) include Acute Care hospitals with at least 10% Medicaid patient volume; this may include Critical Access Hospitals and cancer hospitals. Medicaid EPs must have a minimum of 30% Medicaid patient volume (20% minimum for pediatricians), OR practice predominantly in an FQHC or RHC and have at least 30% patient volume attributable to needy individuals. EPs may NOT be hospital-based; this is defined as any provider who furnishes 90% or more of their services in a hospital setting (inpatient or emergency room).

The first step to participate in the South Carolina Medicaid EHR Incentive Program is to register with the CMS Medicare and Medicaid EHR Incentive Program Registration and Attestation System (aka, the National Level Repository) <https://ehrincentives.cms.gov/hitech/login.action> . The provider indicates the incentive program in which they intend to participate (Medicare or Medicaid for EPs; Medicare, Medicaid, or both for EHs); when designating participation in a Medicaid EHR Incentive Program, the provider also designates the state. CMS began accepting registrations for the Medicare and Medicaid EHR Incentive Programs on January 3, 2011. As of February 18, 2011, 233 EPs, and 9 dually eligible EHs, have registered at the CMS level to participate in the S.C. Medicaid EHR Incentive Program.

After an Eligible Professional (EP) or Eligible Hospital (EH) successfully registers with CMS' NLR, certain key identifying information, including the NLR Registration ID, will be transmitted from the NLR to the Medicaid State Level Repository (SLR) to identify the EP or EH as having registered at the national level. Then, the EP or EH may begin the registration process with the Medicaid EHR Incentive Program. The Web address for the SLR is: [www.scdhhs.gov/slr](http://www.scdhhs.gov/slr) . The SLR opened for provider registration in mid-January and was capable of receiving completed attestations on January 31, 2011. As of February 18, 2011, 66 EPs have submitted attestations for the South Carolina Medicaid EHR incentives. Payments are anticipated to be made mid-March.

The DHHS Division of Health Information Technology (HIT) administers and oversees the S.C. Medicaid EHR Incentive Program. For more information on the South Carolina Medicaid EHR Incentive Program, please visit: <http://www.scdhhs.gov/hit> . Providers may e-mail questions to the HIT Division at: [hitsc@scdhhs.gov](mailto:hitsc@scdhhs.gov) .

The official Web site for the Medicare and Medicaid EHR Incentive Programs is: <https://www.cms.gov/EHRIncentivePrograms> .

Joint Electronic Health Information Study Committee Members  
(Rep. Spires, Dr. Moskowitz, and Dr. Patterson could not attend the December 16 meeting.)

The Honorable Raymond E. Cleary, III  
SC Senate

The Honorable Robert W. Hayes, Jr.  
SC Senate

The Honorable Clementa C. Pinckney  
SC Senate

The Honorable Dwight A. Loftis  
SC House

The Honorable L. Kit Spires  
SC House

Emma Forkner  
Former Director  
South Carolina Department of Health and Human Services

Dr. Jay Moskowitz  
President/CEO  
Health Sciences South Carolina

W. David Patterson, Ph. D.  
Chief, Health and Demographics  
SC Budget and Control Board  
Office of Research and Statistics